

SECOND REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 812

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

4164S.04P

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 115.151, 115.160, 115.277, 115.283, 115.285, 115.291, 115.302, 115.652, 115.960, and 116.160, RSMo, and to enact in lieu thereof nine new sections relating to elections.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 115.151, 115.160, 115.277, 115.283, 2 115.285, 115.291, 115.302, 115.652, 115.960, and 116.160, RSMo, 3 are repealed and nine new sections enacted in lieu thereof, to 4 be known as sections 115.151, 115.160, 115.277, 115.283, 5 115.285, 115.291, 115.652, 115.960, and 116.160, to read as 6 follows:

115.151. 1. Each qualified applicant who appears 2 before the election authority shall be deemed registered as 3 of the time the applicant's completed, signed and sworn 4 registration application is witnessed by the election 5 authority or deputy registration official. 6 2. Each applicant who registers by mail shall be 7 deemed to be registered as of the date the application is 8 postmarked, if such application is accepted and not rejected 9 by the election authority and the verification notice 10 required pursuant to section 115.155 is not returned as 11 undeliverable by the postal service.

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

12 3. Each applicant who registers at a voter
13 registration agency or the division of motor vehicle and
14 drivers licensing of the department of revenue shall be
15 deemed to be registered as of the date the application is
16 signed by the applicant, if such application is accepted and
17 not rejected by the election authority and the verification
18 notice required pursuant to section 115.155 is not returned
19 as undeliverable by the postal service. Voter registration
20 agencies [and the division of motor vehicle and drivers
21 licensing of the department of revenue] shall transmit voter
22 registration application forms to the appropriate election
23 authority not later than five business days after the form
24 is completed by the applicant.

115.160. 1. All Missouri driver's license applicants
2 shall receive a voter registration application form as a
3 simultaneous part of the application for a driver's license,
4 renewal of driver's license, change of address, duplicate
5 request and a nondriver's license.

6 2. If a single application form is used, the voter
7 registration application portion of any application
8 described in subsection 1 of this section may not require
9 any information that duplicates information required in the
10 driver's license portion of the form, except a second
11 signature or other information required by law.

12 3. After conferring with the secretary of state as the
13 chief state election official responsible for overseeing of
14 the voter registration process, the director of revenue
15 shall adopt rules and regulations pertaining to the format
16 of the voter registration application used by the
17 department. **The director of revenue shall utilize**
18 **electronic voter registration application forms and provide**
19 **for secure electronic transfer of voter registration**

20 **information to election authorities. The secretary of state**
21 **and the director of revenue shall ensure the confidentiality**
22 **and integrity of the voter registration data collected,**
23 **maintained, received, or transmitted under this section.**

24 4. No information relating to the failure of an
25 applicant for a driver's license or nondriver's license to
26 sign a voter registration application may be used for any
27 purpose other than voter registration.

28 5. Any voter registration application received
29 pursuant to the provisions of this section shall be
30 forwarded, **in a secure and electronic manner,** to the
31 election authority located within that county or any city
32 not within a county, or if there is more than one election
33 authority within the county, then to the election authority
34 located nearest to the location where the driver's license
35 application was received. **Voter registration information,**
36 **including an electronic image of the signature of the**
37 **applicant, shall be transmitted in a format compatible with**
38 **the Missouri voter registration system established in**
39 **section 115.158 which allows for review by the election**
40 **authority and does not require the election authority to**
41 **manually reenter the information, provided that the election**
42 **authority shall print out a paper copy of the information**
43 **and retain such information in the manner required by**
44 **section 115.145.** The election authority receiving the
45 application forms shall review the applications and forward,
46 **in a secure and electronic manner,** any applications
47 pertaining to a different election authority to that
48 election authority.

49 6. A completed voter registration application accepted
50 in the driver's licensing process shall be transmitted to
51 the election authority described in subsection 5 of this

52 section not later than [five] **three** business days after the
53 form is completed by the applicant.

54 7. Any person registering to vote when applying for or
55 renewing a Missouri driver's license shall submit with the
56 application form a copy of a birth certificate, a Native
57 American tribal document, or other proof of United States
58 citizenship, a valid Missouri driver's license, or other
59 form of personal identification. **Any person who, at the
60 time of a transaction with the division of motor vehicle and
61 drivers licensing of the department of revenue, provides a
62 document that establishes non-citizenship shall not be
63 offered the opportunity to register to vote as part of the
64 transaction.**

115.277. 1. Except as provided in subsections 2, 3,
2 4, and 5 of this section, any registered voter of this state
3 may vote by absentee ballot for all candidates and issues
4 for which such voter would be eligible to vote at the
5 polling place if such voter expects to be prevented from
6 going to the polls to vote on election day due to:

7 (1) Absence on election day from the jurisdiction of
8 the election authority in which such voter is registered to
9 vote;

10 (2) Incapacity or confinement due to illness or
11 physical disability, including a person who is primarily
12 responsible for the physical care of a person who is
13 incapacitated or confined due to illness or disability;

14 (3) Religious belief or practice;

15 (4) Employment as an election authority, as a member
16 of an election authority, or by an election authority at a
17 location other than such voter's polling place;

18 (5) Incarceration, provided all qualifications for
19 voting are retained; **or**

20 (6) Certified participation in the address
21 confidentiality program established under sections 589.660
22 to 589.681 because of safety concerns[; or

23 (7) For an election that occurs during the year 2020,
24 the voter has contracted or is in an at-risk category for
25 contracting or transmitting severe acute respiratory
26 syndrome coronavirus 2. This subdivision shall expire on
27 December 31, 2020].

28 2. Any covered voter who is eligible to register and
29 vote in this state may vote in any election for federal
30 office, statewide office, state legislative office, or
31 statewide ballot initiatives by submitting a federal
32 postcard application to apply to vote by absentee ballot or
33 by submitting a federal postcard application at the polling
34 place even though the person is not registered. A federal
35 postcard application submitted by a covered voter pursuant
36 to this subsection shall also serve as a voter registration
37 application under section 115.908 and the election authority
38 shall, if satisfied that the applicant is entitled to
39 register, place the voter's name on the voter registration
40 file. Each covered voter may vote by absentee ballot or,
41 upon submitting an affidavit that the person is qualified to
42 vote in the election, may vote at the person's polling place.

43 3. Any interstate former resident may vote by absentee
44 ballot for presidential and vice presidential electors.

45 4. Any intrastate new resident may vote by absentee
46 ballot at the election for presidential and vice
47 presidential electors, United States senator, representative
48 in Congress, statewide elected officials and statewide
49 questions, propositions and amendments from such resident's
50 new jurisdiction of residence after registering to vote in
51 such resident's new jurisdiction of residence.

52 5. Any new resident may vote by absentee ballot for
53 presidential and vice presidential electors after
54 registering to vote in such resident's new jurisdiction of
55 residence.

56 [6. For purposes of this section, the voters who are
57 in an at-risk category for contracting or transmitting
58 severe acute respiratory syndrome coronavirus 2 are voters
59 who:

60 (1) Are sixty-five years of age or older;

61 (2) Live in a long-term care facility licensed under
62 chapter 198;

63 (3) Have chronic lung disease or moderate to severe
64 asthma;

65 (4) Have serious heart conditions;

66 (5) Are immunocompromised;

67 (6) Have diabetes;

68 (7) Have chronic kidney disease and are undergoing
69 dialysis; or

70 (8) Have liver disease.]

115.283. 1. Each ballot envelope shall bear a
2 statement on which the voter shall state the voter's name,
3 the voter's voting address, the voter's mailing address and
4 the voter's reason for voting an absentee ballot. If the
5 reason for the voter voting absentee is due to the reasons
6 established under subdivision (6) of subsection 1 of section
7 115.277, the voter shall state the voter's identification
8 information provided by the address confidentiality program
9 in lieu of the applicant's name, voting address, and mailing
10 address. On the form, the voter shall also state under
11 penalties of perjury that the voter is qualified to vote in
12 the election, that the voter has not previously voted and
13 will not vote again in the election, that the voter has

14 personally marked the voter's ballot in secret or supervised
 15 the marking of the voter's ballot if the voter is unable to
 16 mark it, that the ballot has been placed in the ballot
 17 envelope and sealed by the voter or under the voter's
 18 supervision if the voter is unable to seal it, and that all
 19 information contained in the statement is true. In
 20 addition, any person providing assistance to the absentee
 21 voter shall include a statement on the envelope identifying
 22 the person providing assistance under penalties of perjury.
 23 Persons authorized to vote only for federal and statewide
 24 officers shall also state their former Missouri residence.

25 2. The statement for persons voting absentee ballots
 26 who are registered voters shall be in substantially the
 27 following form:

28 State of Missouri

29 County (City) of _____

30 I, _____ (print name), a registered voter of
 31 _____ County (City of St. Louis, Kansas City),
 32 declare under the penalties of perjury that I
 33 expect to be prevented from going to the polls on
 34 election day due to (check one):

35 _____ absence on election day from the
 36 jurisdiction of the election authority in
 37 which I am registered;

38 _____ incapacity or confinement due to illness
 39 or physical disability, including caring
 40 for a person who is incapacitated or
 41 confined due to illness or disability;

42 _____ religious belief or practice;

43 _____ employment as an election authority or by
 44 an election authority at a location other
 45 than my polling place;

46 _____ incarceration, although I have retained
 47 all the necessary qualifications for
 48 voting;

49 _____ certified participation in the address
 50 confidentiality program established under
 51 sections 589.660 to 589.681 because of
 52 safety concerns.

53 I hereby state under penalties of perjury that I am
 54 qualified to vote at this election; I have not
 55 voted and will not vote other than by this ballot
 56 at this election. I further state that I marked the
 57 enclosed ballot in secret or that I am blind,
 58 unable to read or write English, or physically
 59 incapable of marking the ballot, and the person of
 60 my choosing indicated below marked the ballot at my
 61 direction; all of the information on this statement
 62 is, to the best of my knowledge and belief, true.

63	_____	_____
64	_____	_____
65	Signature of Voter	Signature of Person
66		Assisting Voter
67		(if applicable)
68	Signed _____	Subscribed and sworn
69	Signed _____	to before me this
70	Address of Voter	_____day of _____,
71		_____
72	_____	_____
73	_____	_____
74	Mailing addresses	Signature of notary or
75	(if different)	other officer
76		authorized to
77		administer oaths

78 3. The statement for persons voting absentee ballots
 79 pursuant to the provisions of subsection 2, 3, 4, or 5 of

80 section 115.277 without being registered shall be in
81 substantially the following form:

82 State of Missouri

83 County (City) of _____

84 I, _____ (print name), declare under the penalties
85 of perjury that I am a citizen of the United States
86 and eighteen years of age or older. I am not
87 adjudged incapacitated by any court of law, and if
88 I have been convicted of a felony or of a
89 misdemeanor connected with the right of suffrage, I
90 have had the voting disabilities resulting from
91 such conviction removed pursuant to law. I hereby
92 state under penalties of perjury that I am
93 qualified to vote at this election.

94 I am (check one):

95 _____ a resident of the state of Missouri and a
96 registered voter in _____ County and
97 moved from that county to _____ County,
98 Missouri, after the last day to register
99 to vote in this election.

100 _____ an interstate former resident of Missouri
101 and authorized to vote for presidential
102 and vice presidential electors.

103 I further state under penalties of perjury that I
104 have not voted and will not vote other than by this
105 ballot at this election; I marked the enclosed
106 ballot in secret or am blind, unable to read or
107 write English, or physically incapable of marking
108 the ballot, and the person of my choosing indicated
109 below marked the ballot at my direction; all of the
110 information on this statement is, to the best of my
111 knowledge and belief, true.

112 _____ Subscribed to and
113 Signature of Voter sworn before me this
114 _____ day of
115 _____, _____

116

117

118

Address of Voter

Signature of notary or

119

other officer

120

authorized to

121

administer oaths

122

123

Mailing Address (if
different)

124

125

126

127

Signature of Person

Address of Last

128

Assisting Voter

Missouri Residence

129

(if applicable)

130

4. The statement for persons voting absentee ballots

131

who are entitled to vote at the election pursuant to the

132

provisions of subsection 2 of section 115.137 shall be in

133

substantially the following form:

134

State of Missouri

135

County (City) of _____

136

I, _____ (print name), declare under the penalties

137

of perjury that I expect to be prevented from going

138

to the polls on election day due to (check one):

139

140

_____ absence on election day from the

141

jurisdiction of the election authority in

142

which I am directed to vote;

143

_____ incapacity or confinement due to illness

144

or physical disability, including caring

145

for a person who is incapacitated or

146

confined due to illness or disability;

- 147 _____ religious belief or practice;
- 148 _____ employment as an election authority or by
- 149 an election authority at a location other
- 150 than my polling place;
- 151 _____ incarceration, although I have retained
- 152 all the necessary qualifications of
- 153 voting;
- 154 _____ certified participation in the address
- 155 confidentiality program established under
- 156 sections 589.660 to 589.681 because of
- 157 safety concerns.

158 I hereby state under penalties of perjury that I
 159 own property in the _____ district and am
 160 qualified to vote at this election; I have not
 161 voted and will not vote other than by this ballot
 162 at this election. I further state that I marked the
 163 enclosed ballot in secret or that I am blind,
 164 unable to read and write English, or physically
 165 incapable of marking the ballot, and the person of
 166 my choosing indicated below marked the ballot at my
 167 direction; all of the information on this statement
 168 is, to the best of my knowledge and belief, true.

169 _____
 170 Subscribed and sworn
 171 Signature of Voter to before me this
 172 _____ day of
 173 _____, _____

174 _____
 175 _____
 176 Address Signature of notary or
 177 other officer
 178 authorized to
 179 administer oaths

180 _____
 181 Signature of Person

182 Assisting Voter
183 (if applicable)

184 5. The statement for persons providing assistance to
185 absentee voters shall be in substantially the following form:

186 The voter needed assistance in marking the ballot
187 and signing above, because of blindness, other
188 physical disability, or inability to read or to
189 read English. I marked the ballot enclosed in this
190 envelope at the voter's direction, when I was
191 alone with the voter, and I had no other
192 communication with the voter as to how he or she
193 was to vote. The voter swore or affirmed the voter
194 affidavit above and I then signed the voter's name
195 and completed the other voter information above.
196 Signed under the penalties of perjury.

197 Reason why voter needed assistance: _____

198 ASSISTING PERSON SIGN HERE

- 199 1. _____ (signature of assisting person)
200 2. _____ (assisting person's name printed)
201 3. _____ (assisting person's residence)
202 4. _____ (assisting person's home city or town).

203 6. [The election authority shall, for an election held
204 during 2020, adjust the forms described in this section to
205 account for voters voting absentee due to the reason
206 established pursuant to subdivision (7) of subsection 1 of
207 section 115.277.]

208 7.] Notwithstanding any other provision of this
209 section, any covered voter as defined in section 115.902 or
210 persons who have declared themselves to be permanently
211 disabled pursuant to section 115.284, otherwise entitled to

212 vote, shall not be required to obtain a notary seal or
213 signature on his or her absentee ballot.

214 [8.] 7. Notwithstanding any other provision of this
215 section or section 115.291 to the contrary, the
216 subscription, signature and seal of a notary or other
217 officer authorized to administer oaths shall not be required
218 on any ballot, ballot envelope, or statement required by
219 this section if the reason for the voter voting absentee is
220 due to the reasons established pursuant to subdivision (2)
221 [or (7)] of subsection 1 of section 115.277.

222 [9.] 8. No notary shall charge or collect a fee for
223 notarizing the signature on any absentee ballot or absentee
224 voter registration.

225 [10.] 9. A notary public who charges more than the
226 maximum fee specified or who charges or collects a fee for
227 notarizing the signature on any absentee ballot or absentee
228 voter registration is guilty of official misconduct.

115.285. The secretary of state may prescribe uniform
2 regulations with respect to the printing of ballot envelopes
3 and mailing envelopes, which shall comply with standards
4 established by federal law or postal regulations. Mailing
5 envelopes for use in returning ballots shall be printed with
6 business reply permits so that any ballot returned by mail
7 does not require postage. All fees and costs for
8 establishing and maintaining the business reply and postage-
9 free mail for all ballots cast shall be paid by the
10 secretary of state through state appropriations.

11 [Notwithstanding any provision of law to the contrary, a
12 ballot envelope used under section 115.302 shall be the same
13 ballot envelope used for absentee ballots, provided an
14 option shall be listed on the envelope to clearly indicate

15 whether the voter is casting an absentee ballot or a mail-in
16 ballot.]

115.291. 1. Upon receiving an absentee ballot by
2 mail, the voter shall mark the ballot in secret, place the
3 ballot in the ballot envelope, seal the envelope and fill
4 out the statement on the ballot envelope. The affidavit of
5 each person voting an absentee ballot shall be subscribed
6 and sworn to before the election official receiving the
7 ballot, a notary public or other officer authorized by law
8 to administer oaths, unless the voter is voting absentee due
9 to incapacity or confinement due to the provisions of
10 section 115.284, illness or physical disability, [for an
11 election that occurs during the year 2020, the voter has
12 contracted or is in an at-risk category for contracting or
13 transmitting severe acute respiratory syndrome coronavirus
14 2, as defined in section 115.277,] or the voter is a covered
15 voter as defined in section 115.902. If the voter is blind,
16 unable to read or write the English language, or physically
17 incapable of voting the ballot, the voter may be assisted by
18 a person of the voter's own choosing. Any person assisting
19 a voter who is not entitled to such assistance, and any
20 person who assists a voter and in any manner coerces or
21 initiates a request or a suggestion that the voter vote for
22 or against or refrain from voting on any question, ticket or
23 candidate, shall be guilty of a class one election offense.
24 If, upon counting, challenge or election contest, it is
25 ascertained that any absentee ballot was voted with unlawful
26 assistance, the ballot shall be rejected. [For purposes of
27 this subsection, the voters who are in an at-risk category
28 for contracting or transmitting severe acute respiratory
29 syndrome coronavirus 2 are voters who:

30 (1) Sixty-five years of age or older;

- 31 (2) Live in a long-term care facility licensed under
32 chapter 198;
- 33 (3) Have chronic lung disease or moderate to severe
34 asthma;
- 35 (4) Have serious heart conditions;
- 36 (5) Are immunocompromised;
- 37 (6) Have diabetes;
- 38 (7) Have chronic kidney disease and are undergoing
39 dialysis; or
- 40 (8) Have liver disease.]

41 2. Except as provided in subsection 4 of this section,
42 each absentee ballot that is not cast by the voter in person
43 in the office of the election authority shall be returned to
44 the election authority in the ballot envelope and shall only
45 be returned by the voter in person, or in person by a
46 relative of the voter who is within the second degree of
47 consanguinity or affinity, by mail or registered carrier or
48 by a team of deputy election authorities; except that
49 covered voters, when sent from a location determined by the
50 secretary of state to be inaccessible on election day, shall
51 be allowed to return their absentee ballots cast by use of
52 facsimile transmission or under a program approved by the
53 Department of Defense for electronic transmission of
54 election materials.

55 3. In cases of an emergency declared by the President
56 of the United States or the governor of this state where the
57 conduct of an election may be affected, the secretary of
58 state may provide for the delivery and return of absentee
59 ballots by use of a facsimile transmission device or
60 system. Any rule promulgated pursuant to this subsection
61 shall apply to a class or classes of voters as provided for
62 by the secretary of state.

63 4. No election authority shall refuse to accept and
64 process any otherwise valid marked absentee ballot submitted
65 in any manner by a covered voter solely on the basis of
66 restrictions on envelope type.

115.652. [1.] An election shall not be conducted
2 under sections 115.650 to 115.660 unless:

3 (1) The officer or agency calling the election submits
4 a written request that the election be conducted by mail.
5 Such request shall be submitted not later than the date
6 specified in section 115.125 for submission of the notice of
7 election and sample ballot;

8 (2) The election authority responsible for conducting
9 the election authorizes the use of mailed ballots for the
10 election;

11 (3) The election is nonpartisan;

12 (4) The election is not one at which any candidate is
13 elected, retained or recalled; and

14 (5) The election is an issue election at which all of
15 the qualified voters of any one political subdivision are
16 the only voters eligible to vote.

17 [2. Notwithstanding the provisions of subsection 1 of
18 this section or any other provision of law to the contrary,
19 an election may be conducted by mail as authorized under
20 section 115.302, during the year 2020, to avoid the risk of
21 contracting or transmitting severe acute respiratory
22 syndrome coronavirus 2. This subsection shall expire
23 December 31, 2020.]

115.960. 1. An election authority is authorized to
2 accept voter registration applications with a signature
3 submitted to the election authority under the provisions of
4 sections 432.200 to 432.295 as provided in this section:

5 (1) Sections 432.200 to 432.295 shall only apply to
6 transactions between parties that have agreed to conduct
7 transactions by electronic means;

8 (2) [Except as provided in subsection 2 of this
9 section,] As used in this section and sections 432.200 to
10 432.295, the parties who agree to conduct voter registration
11 transactions by electronic means shall be the local election
12 authority who is required to accept or reject a voter
13 registration application and the prospective voter
14 submitting the application;

15 (3) A local election authority is authorized to
16 develop, maintain, and approve systems that transmit voter
17 registration applications electronically under sections
18 432.200 to 432.295;

19 (4) Except as provided in [subsection 2 of this]
20 section **115.160**, no officer, agency, or organization shall
21 collect or submit a voter registration application with an
22 electronic signature to an election authority without first
23 obtaining approval of the data and signature format from the
24 local election authority and the approval of the voter to
25 collect and store the signature and data; and

26 (5) Local election authorities who maintain a voter
27 registration application system shall direct voter
28 registration applicants from other jurisdictions to the
29 system used by the local election authority for that
30 jurisdiction to accept voter registration applications
31 electronically.

32 2. [A system maintained by the secretary of state's
33 office shall be used to accept voter registration
34 applications electronically subsequent to approval from the
35 committee formed as set forth in this subsection:

36 (1) Within thirty days of, but in no event prior to
37 January 1, 2017, the president of the Missouri Association
38 of County Clerks and Election Authorities shall appoint
39 fourteen of its members to serve on a committee to approve
40 and develop uniform standards, systems, and modifications
41 that shall be used by the secretary of state in any
42 electronic voter registration application system offered by
43 that office. The committee may also make recommendations
44 regarding the purchase, maintenance, integration, and
45 operation of electronic databases, software, and hardware
46 used by local election authorities and the secretary of
47 state's office including, but not limited to, systems used
48 for military and overseas voting and for building and
49 conducting election operations. The committee shall have
50 fourteen local election authorities, including
51 representatives of each classification of counties, a
52 representative from an election board, and at least one
53 member who has experience processing online voter
54 registration transactions. In addition, one representative
55 appointed by the secretary of state's office shall serve on
56 the committee;

57 (2) The committee shall immediately meet to approve
58 electronic signature formats and a minimum set of data
59 collection standards for use in a voter registration
60 application system maintained by the secretary of state;

61 (3) Once the format and data collection standards are
62 approved by the committee and implemented for the system
63 maintained by the secretary of state, local election
64 authorities shall accept the transmission of voter
65 registration applications submitted to the approved system
66 under the provisions of sections 432.200 to 432.295;

67 (4) The secretary of state's office shall direct
68 eligible voters to a local election authority's system to
69 accept voter registration applications electronically if the
70 local election authority has a system in place as of August
71 28, 2016, or implements a system that meets the same
72 standards and format that has been approved by the committee
73 for the secretary of state's system;

74 (5) The committee shall meet not less than
75 semiannually through June 30, 2019, to recommend and approve
76 changes and enhancements proposed by the secretary of state
77 or election authorities to the electronic voter registration
78 application system. Vacancies that occur on the committee
79 shall be filled by the president of the Missouri Association
80 of County Clerks and Election Authorities at the time of the
81 vacancy;

82 (6) To improve the accuracy of voter registration
83 application data and reduce costs for local election
84 authorities, the system maintained by the secretary of state
85 shall, as soon as is practical, provide a method where the
86 data entered by the voter registration applicant does not
87 have to be re-entered by the election authority to the state
88 voter registration database.

89 3.1 Each applicant who registers using an approved
90 electronic voter registration application system shall be
91 deemed to be registered as of the date the signed
92 application is submitted to the system, if such application
93 is accepted and not rejected by the election authority and
94 the verification notice required under section 115.155 is
95 not returned as undeliverable by the postal service.

96 [4.] 3. This section shall not apply to voter
97 registration and absentee records submitted by voters
98 authorized under federal law, section 115.291, or sections

99 115.900 to 115.936 to submit electronic records and
100 signatures.

101 [5.] 4. High quality copies, including electronic
102 copies, of signatures made on paper documents may be used
103 for petition signature verification purposes and retained as
104 records.

105 [6.] 5. Any signature required for petition submission
106 under chapter 116 shall be handwritten on a paper document.

107 [7. Notwithstanding the provisions of section 432.230]

108 **6. Except as provided under sections 115.160 and 432.230,**
109 nothing in this section shall require the election authority
110 to accept voter registration records or signatures created,
111 generated, sent, communicated, received, stored, or
112 otherwise processed, or used by electronic means or in
113 electronic form from any officer, agency, or organization
114 [not authorized under subsection 2 of this section] without
115 prior approval from the election authority. **Election**
116 **authorities shall accept and process voter registration**
117 **records, including electronic images of applicant**
118 **signatures, transmitted electronically by the division of**
119 **motor vehicle and drivers licensing of the department of**
120 **revenue under section 115.160.** Except as provided in
121 [subsection 2 of this section] **section 115.160,** no officer,
122 agency, or organization shall give the voter the opportunity
123 to submit a voter registration application with an
124 electronic signature without first obtaining the approval of
125 the local election authority.

126 [8.] 7. An election authority that agrees to conduct a
127 transaction by electronic means may refuse to conduct other
128 transactions by electronic means.

129 [9.] 8. No election authority or the secretary of
130 state shall furnish to any member of the public any data

131 collected under a voter registration application system
132 except as authorized in subsections 1 to 5 of section
133 115.157.

134 [10.] 9. Nothing in this section shall be construed to
135 require the secretary of state to cease operating a voter
136 registration application in place as of the effective date
137 of this act.

116.160. 1. If the general assembly adopts a joint
2 resolution proposing a constitutional amendment or a bill
3 without a fiscal note summary, which is to be referred to a
4 vote of the people, after receipt of such resolution or bill
5 the secretary of state shall promptly forward the resolution
6 or bill to the state auditor. If the general assembly
7 adopts a joint resolution proposing a constitutional
8 amendment or a bill without an official summary statement,
9 which is to be referred to a vote of the people, within
10 twenty days after receipt of the resolution or bill, the
11 secretary of state shall prepare and transmit to the
12 attorney general a summary statement of the measure as the
13 proposed summary statement. The secretary of state may seek
14 the advice of the legislator who introduced the
15 constitutional amendment or bill and the speaker of the
16 house or the president pro tem of the legislative chamber
17 that originated the measure. The summary statement may be
18 distinct from the legislative title of the proposed
19 constitutional amendment or bill. The attorney general
20 shall within ten days approve the legal content and form of
21 the proposed statement. **If the general assembly adopts a**
22 **joint resolution proposing a constitutional amendment or**
23 **statutory measure that includes an official summary**
24 **statement, the statement shall appear on the ballot, and no**

25 **court shall have the authority to rewrite or edit the**
26 **summary statement or ballot language.**

27 2. The official summary statement shall contain no
28 more than fifty words, excluding articles. The title shall
29 be a true and impartial statement of the purposes of the
30 proposed measure in language neither intentionally
31 argumentative nor likely to create prejudice either for or
32 against the proposed measure.

2 [115.302. 1. Any registered voter of this
3 state may cast a mail-in ballot as provided in
4 this section. Nothing in this section shall
5 prevent a voter from casting an absentee ballot,
6 provided such person has not cast a ballot
7 pursuant to this section. Application for a
8 mail-in ballot may be made by the applicant in
9 person, or by United States mail, or on behalf
10 of the applicant by his or her guardian or
11 relative within the second degree of
12 consanguinity or affinity.

13 2. Each application for a mail-in ballot
14 shall be made to the election authority of the
15 jurisdiction in which the person is registered.
16 Each application shall be in writing and shall
17 state the applicant's name, address at which he
18 or she is registered, the address to which the
19 ballot is to be mailed.

20 3. All applications for mail-in ballots
21 received prior to the sixth Tuesday before an
22 election shall be stored at the office of the
23 election authority until such time as the
24 applications are processed under section
25 115.281. No application for a mail-in ballot
26 received in the office of the election authority
27 after 5:00 p.m. on the second Wednesday
28 immediately prior to the election shall be
29 accepted by any election authority.

30 4. Each application for a mail-in ballot
31 shall be signed by the applicant or, if the
32 application is made by a guardian or relative
33 under this section, the application shall be
34 signed by the guardian or relative, who shall
35 note on the application his or her relationship
36 to the applicant. If an applicant, guardian, or
37 relative is blind, unable to read or write the
38 English language, or physically incapable of
39 signing the application, he or she shall sign by
40 mark that is witnessed by the signature of an
41 election official or person of his or her
choice. Knowingly making, delivering, or

42 mailing a fraudulent mail-in-ballot application
43 is a class one election offense.

44 5. Not later than the sixth Tuesday prior
45 to each election, or within fourteen days after
46 candidate names or questions are certified under
47 section 115.125, the election authority shall
48 cause to have printed and made available a
49 sufficient quantity of ballots, ballot
50 envelopes, and mailing envelopes. As soon as
51 possible after a proper official calls a special
52 state or county election, the election authority
53 shall cause to have printed and made available a
54 sufficient quantity of mail-in ballots, ballot
55 envelopes, and mailing envelopes.

56 6. Each ballot envelope shall bear a
57 statement in substantially the same form
58 described in subsection 9 of this section. In
59 addition, any person providing assistance to the
60 mail-in voter shall include a signature on the
61 envelope identifying the person providing such
62 assistance under penalties of perjury. Persons
63 authorized to vote only for federal and
64 statewide offices shall also state their former
65 Missouri residence.

66 7. The statement for persons voting mail-
67 in ballots who are registered voters shall be in
68 substantially the following form:

69 State of Missouri

70 County (City) of _____

71 I, _____ (print name), a registered
72 voter of _____ County (City of St.
73 Louis, Kansas City), declare under the
74 penalties of perjury that: I am qualified
75 to vote at this election; I have not voted
76 and will not vote other than by this ballot
77 at this election. I further state that I
78 marked the enclosed ballot in secret or that
79 I am blind, unable to read or write English,
80 or physically incapable of marking the
81 ballot, and the person of my choosing
82 indicated below marked the ballot at my
83 direction; all of the information on this
84 statement is, to the best of my knowledge
and belief, true.

85 _____

86 Signature of Voter Signature of Person

87 Assisting Voter

88 (if applicable)

89 Subscribed and sworn to before me this
90 _____ day of _____, _____.

91 _____

92 Signature of notary or other officer
93 authorized to administer oaths.

94

95

96 Mailing addresses

97 (if different)

98 8. Upon receipt of a signed application
99 for a mail-in ballot and if satisfied that the
100 applicant is entitled to vote by mail-in ballot,
101 the election authority shall, within three
102 working days after receiving the application,
103 or, if mail-in ballots are not available at the
104 time the application is received, within five
105 working days after such ballots become
106 available, deliver to the voter a mail-in
107 ballot, ballot envelope and such instructions as
108 are necessary for the applicant to vote. If the
109 election authority is not satisfied that any
110 applicant is entitled to vote by mail-in ballot,
111 the authority shall not deliver a mail-in ballot
112 to the applicant. Within three working days of
113 receiving such an application, the election
114 authority shall notify the applicant and state
115 the reason he or she is not entitled to vote by
116 mail-in ballot. The applicant may file a
117 complaint with the elections division of the
118 secretary of state's office under section
119 115.219.

120 9. On the mailing and ballot envelopes for
121 each covered voter, the election authority shall
122 stamp the words "ELECTION BALLOT, STATE OF
123 MISSOURI" and "U.S. Postage Paid, 39 U.S.C.
124 Section 3406".

125 10. No information which encourages a vote
126 for or against a candidate or issue shall be
127 provided to any voter with a mail-in ballot.

128 11. Upon receiving a mail-in ballot by
129 mail, the voter shall mark the ballot in secret,
130 place the ballot in the ballot envelope, seal
131 the envelope and fill out the statement on the
132 ballot envelope. The statement required under
133 subsection 7 of this section shall be subscribed
134 and sworn to before a notary public or other
135 officer authorized by law to administer oaths.
136 If the voter is blind, unable to read or write
137 the English language, or physically incapable of
138 voting the ballot, the voter may be assisted by
139 a person of the voter's own choosing. Any
140 person who assists a voter and in any manner
141 coerces or initiates a request or suggestion
142 that the voter vote for or against, or refrain

143 from voting on, any question or candidate, shall
144 be guilty of a class one election offense. If,
145 upon counting, challenge, or election contest,
146 it is ascertained that any mail-in ballot was
147 voted with unlawful assistance, the ballot shall
148 be rejected.

149 12. Each mail-in ballot shall be returned
150 to the election authority in the ballot envelope
151 and shall only be returned by the voter by
152 United States mail.

153 13. The secretary of state may prescribe
154 uniform regulations with respect to the printing
155 of ballot envelopes and mailing envelopes, which
156 shall comply with standards established by
157 federal law or postal regulations. Mailing
158 envelopes for use in returning ballots shall be
159 printed with business reply permits so that any
160 ballot returned by mail does not require
161 postage. All fees and costs for establishing
162 and maintaining the business reply and postage-
163 free mail for all ballots cast shall be paid by
164 the secretary of state through state
165 appropriations.

166 14. All votes on each mail-in ballot
167 received by an election authority at or before
168 the time fixed by law for the closing of the
169 polls on election day shall be counted. No
170 votes on any mail-in ballot received by an
171 election authority after the time fixed by law
172 for the closing of the polls on election day
173 shall be counted.

174 15. If sufficient evidence is shown to an
175 election authority that any mail-in voter has
176 died prior to the opening of the polls on
177 election day, the ballot of the deceased voter
178 shall be rejected if it is still sealed in the
179 ballot envelope. Any such rejected ballot,
180 still sealed in its ballot envelope, shall be
181 sealed with the application and any other papers
182 connected therewith in an envelope marked
183 "Rejected ballot of _____, a mail-in voter
184 of _____ voting district". The reason for
185 rejection shall be noted on the envelope, which
186 shall be kept by the election authority with the
187 other ballots from the election until the
188 ballots are destroyed according to law.

189 16. As each mail-in ballot is received by
190 the election authority, the election authority
191 shall indicate its receipt on the list.

192 17. All mail-in ballot envelopes received
193 by the election authority shall be kept together
194 in a safe place and shall not be opened except
195 as provided under this chapter.

196 18. Mail-in ballots shall be counted using
197 the procedures set out in sections 115.297,
198 115.299, 115.300, and 115.303.

199 19. The false execution of a mail-in
200 ballot is a class one election offense. The
201 attorney general or any prosecuting or circuit
202 attorney shall have the authority to prosecute
203 such offense either in the county of residence
204 of the person or in the circuit court of Cole
205 County.

206 20. The provisions of this section shall
207 apply only to an election that occurs during the
208 year 2020, to avoid the risk of contracting or
209 transmitting severe acute respiratory syndrome
210 coronavirus 2.

211 21. The provisions of this section
212 terminate and shall be repealed on December 31,
213 2020, and shall not apply to any election
214 conducted after that date.]

✓