

SECOND REGULAR SESSION

# SENATE BILL NO. 985

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

4160S.02I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 115.157, 115.283, 115.507, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof eleven new sections relating to the secretary of state.

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

Section A. Sections 115.157, 115.283, 115.507, 347.740, 2 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, 3 RSMo, are repealed and eleven new sections enacted in lieu 4 thereof, to be known as sections 115.008, 115.157, 115.283, 5 115.507, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9- 6 528, and 417.018, to read as follows:

115.008. The secretary of state shall establish a 2 unique identification coding system for all precincts in the 3 state resulting in unique identification codes for each 4 precinct in the state. Such system shall be based upon the 5 Federal Information Processing Standards codes issued by the 6 National Institute of Standards and Technology. Election 7 authorities shall be responsible for implementing the 8 unique identification coding system for all precincts within 9 its jurisdiction in compliance with the format set out by 10 the secretary of state. The secretary of state shall 11 promulgate rules for the implementation of this section. 12 Any rule or portion of a rule, as that term is defined in 13 section 536.010, that is created under the authority

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

14 delegated in this section shall become effective only if it  
15 complies with and is subject to all of the provisions of  
16 chapter 536 and, if applicable, section 536.028. This  
17 section and chapter 536 are nonseverable and if any of the  
18 powers vested with the general assembly pursuant to chapter  
19 536 to review, to delay the effective date, or to disapprove  
20 and annul a rule are subsequently held unconstitutional,  
21 then the grant of rulemaking authority and any rule proposed  
22 or adopted after August 28, 2026, shall be invalid and void.

115.157. 1. The election authority may place all  
2 information on any registration cards in computerized form  
3 in accordance with section 115.158. No election authority  
4 or secretary of state shall furnish to any member of the  
5 public electronic media or printout showing any registration  
6 information, except as provided in this section. Except as  
7 provided in subsection 2 of this section, the election  
8 authority or secretary of state shall make available  
9 electronic media or printouts showing only unique voter  
10 identification numbers, voters' names, year of birth,  
11 addresses, townships or wards, and precincts. Electronic  
12 data shall be maintained in at least the following separate  
13 fields:

- 14 (1) Voter identification number;
- 15 (2) First name;
- 16 (3) Middle initial;
- 17 (4) Last name;
- 18 (5) Suffix;
- 19 (6) Street number;
- 20 (7) Street direction;
- 21 (8) Street name;
- 22 (9) Street suffix;
- 23 (10) Apartment number;

- 24 (11) City;
- 25 (12) State;
- 26 (13) Zip code;
- 27 (14) Township;
- 28 (15) Ward;
- 29 (16) Precinct;
- 30 (17) Senatorial district;
- 31 (18) Representative district;
- 32 (19) Congressional district; and
- 33 (20) Political party affiliation.

34 2. All election authorities shall enter voter history  
35 in their computerized registration systems and shall, not  
36 more than three months after the election, forward such data  
37 to the Missouri voter registration system established in  
38 section 115.158. In addition, election authorities shall  
39 forward registration and other data in a manner prescribed  
40 by the secretary of state to comply with the Help America  
41 Vote Act of 2002.

42 3. Except as provided in subsection 6 of this section,  
43 the election authority shall furnish, for a fee, electronic  
44 media or a printout showing only the names, year of birth,  
45 addresses, and political party affiliations of voters, or  
46 any part thereof, within the jurisdiction of the election  
47 authority who voted in any specific election, including  
48 primary elections, by township, ward or precinct, provided  
49 that nothing in this chapter shall require such voter  
50 information to be released to the public over the internet  
51 and shall not be used for commercial purposes.

52 4. Except as provided in subsection 6 of this section,  
53 upon a request by a candidate, a duly authorized  
54 representative of a campaign committee, or a political party  
55 committee, the secretary of state shall furnish, for a fee

determined by the secretary of state and in compliance with section 610.026, media in an electronic format or, if so requested, in a printed format, showing the names, addresses, and voter identification numbers of voters within the jurisdiction of a specific election authority who applied for an absentee ballot under section 115.279 for any specific election involving a ballot measure or an office for which the declaration of candidacy is required to be filed with the secretary of state pursuant to section 115.353, including primary elections, by township, ward, or precinct. Nothing in this section shall require such voter information to be released to the public over the internet. For purposes of this section, the terms "candidate", "campaign committee", and "political party committee" shall have the same meaning given to such terms in section 130.011.

5. The amount of fees charged for information provided in this section shall be established pursuant to chapter 610. All revenues collected by the secretary of state pursuant to this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account established pursuant to section 28.160. In even-numbered years, each election authority shall, upon request, supply the voter registration list for its jurisdiction to all candidates and party committees for a charge established pursuant to chapter 610. Except as provided in subsection 6 of this section, all election authorities shall make the information described in this section available pursuant to chapter 610. Any election authority who fails to comply with the requirements of this section shall be subject to the provisions of chapter 610.

6. Any person working as an undercover officer of a local, state or federal law enforcement agency, persons in

88 witness protection programs, and victims of domestic  
89 violence and abuse who have received orders of protection  
90 pursuant to chapter 455 shall be entitled to apply to the  
91 circuit court having jurisdiction in his or her county of  
92 residence to have the residential address on his or her  
93 voter registration records closed to the public if the  
94 release of such information could endanger the safety of the  
95 person. Any person working as an undercover agent or in a  
96 witness protection program shall also submit a statement  
97 from the chief executive officer of the agency under whose  
98 direction he or she is serving. The petition to close the  
99 residential address shall be incorporated into any petition  
100 for protective order provided by circuit clerks pursuant to  
101 chapter 455. If satisfied that the person filing the  
102 petition meets the qualifications of this subsection, the  
103 circuit court shall issue an order to the election authority  
104 to keep the residential address of the voter a closed record  
105 and the address may be used only for the purposes of  
106 administering elections pursuant to this chapter. The  
107 election authority may require the voter who has a closed  
108 residential address record to verify that his or her  
109 residential address has not changed or to file a change of  
110 address and to affirm that the reasons contained in the  
111 original petition are still accurate prior to receiving a  
112 ballot. A change of address within an election authority's  
113 jurisdiction shall not require that the voter file a new  
114 petition. Any voter who no longer qualifies pursuant to  
115 this subsection to have his or her residential address as a  
116 closed record shall notify the circuit court. Upon such  
117 notification, the circuit court shall void the order closing  
118 the residential address and so notify the election authority.

119           7. Not later than the third Wednesday prior to each  
120 election, the secretary of state shall publish a voter  
121 registration list on the secretary's website containing only  
122 the following information for each person registered to vote  
123 as of the fourth Wednesday prior to the election: unique  
124 voter identification number, voter's name, year of birth,  
125 address, township or ward, and precinct.

115.283. 1. Each ballot envelope shall bear a  
2 statement [on which the voter shall state] containing the  
3 following: the precinct code, as identified pursuant to  
4 section 115.008, that corresponds to the voter's voting  
5 address; the voter's name[,]; the voter's voting address[,];  
6 the voter's mailing address; and the voter's reason for  
7 voting an absentee ballot. If the reason for the voter  
8 voting absentee is due to the reasons established under  
9 subdivision (6) of subsection 3 of section 115.277, the  
10 voter shall state the voter's identification information  
11 provided by the address confidentiality program in lieu of  
12 the applicant's name, voting address, and mailing address.  
13 On the form, the voter shall also state under penalties of  
14 perjury that the voter is qualified to vote in the election,  
15 that the voter has not previously voted and will not vote  
16 again in the election, that the voter has personally marked  
17 the voter's ballot in secret or supervised the marking of  
18 the voter's ballot if the voter is unable to mark it, that  
19 the ballot has been placed in the ballot envelope and sealed  
20 by the voter or under the voter's supervision if the voter  
21 is unable to seal it, and that all information contained in  
22 the statement is true. In addition, any person providing  
23 assistance to the absentee voter shall include a statement  
24 on the envelope identifying the person providing assistance  
25 under penalties of perjury. Persons authorized to vote only

26 for federal and statewide officers shall also state their  
27 former Missouri residence.

28 2. The statement for persons voting absentee ballots  
29 who are registered voters shall be in substantially the  
30 following form:

31 State of Missouri

32 County (City) of \_\_\_\_\_

33 I, \_\_\_\_\_ (print name), a registered voter of  
34 \_\_\_\_\_ County (City of St. Louis, Kansas  
35 City), declare under the penalties of perjury  
36 that I am voting in person at a location  
37 designated by the local election authority or  
38 I expect to be prevented from going to the  
39 polls on election day due to (check one):

40 \_\_\_\_\_ absence on election day from the  
41 jurisdiction of the election authority  
42 in which I am registered;

43 \_\_\_\_\_ incapacity or confinement due to illness  
44 or physical disability on election day,  
45 including caring for a person who is  
46 incapacitated or confined due to illness  
47 or disability and resides at the same  
48 address;

49 \_\_\_\_\_ religious belief or practice;

50 \_\_\_\_\_ employment as an election authority, by  
51 an election authority at a location  
52 other than my polling place, as a first  
53 responder, as a health care worker, or  
54 as a member of law enforcement;

55 \_\_\_\_\_ incarceration, although I have retained  
56 all the necessary qualifications for  
57 voting;

58 \_\_\_\_\_ certified participation in the address  
59 confidentiality program established  
60 under sections 589.660 to 589.681  
61 because of safety concerns.

62 I hereby state under penalties of perjury that  
63 I am qualified to vote at this election; I  
64 have not voted and will not vote other than by  
65 this ballot at this election. I further state  
66 that I marked the enclosed ballot in secret or  
67 that I am blind, unable to read or write  
68 English, or physically incapable of marking  
69 the ballot, and the person of my choosing  
70 indicated below marked the ballot at my  
71 direction; all of the information on this  
72 statement is, to the best of my knowledge and  
73 belief, true.

74	_____	_____
75	Signature of Voter	Signature of Person
76		Assisting Voter
77		(if applicable)
78	Signed _____	Subscribed and sworn
79	Signed _____	to before me this
80	Address of Voter	_____ day of _____,
81		_____
82	_____	_____
83	_____	_____
84	Mailing Addresses	Signature of notary or
85	(if different)	other officer
86		authorized to



87 administer oaths

88 3. The statement for persons voting absentee ballots  
89 pursuant to the provisions of subsection 4, 5, or 6 of  
90 section 115.277 without being registered shall be in  
91 substantially the following form:

92 State of Missouri

93 County (City) of \_\_\_\_\_

94 I, \_\_\_\_\_ (print name), declare under the  
95 penalties of perjury that I am a citizen of the  
96 United States and eighteen years of age or older.  
97 I am not adjudged incapacitated by any court of  
98 law, and if I have been convicted of a felony or  
99 of a misdemeanor connected with the right of  
100 suffrage, I have had the voting disabilities  
101 resulting from such conviction removed pursuant  
102 to law. I hereby state under penalties of perjury  
103 that I am qualified to vote at this election.

104 I am an interstate former resident of Missouri  
105 and authorized to vote for presidential and vice  
106 presidential electors.

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

117 \_\_\_\_\_ Subscribed to and

118	Signature of Voter	sworn before me this
119		_____ day of
120		_____, _____
121	_____	
122	_____	_____
123	Address of Voter	Signature of notary or
124		other officer
125		authorized to
126		administer oaths
127	_____	_____
128	Mailing Address (if	_____
129	different)	
130		_____
131	_____	_____
132	Signature of Person	Address of Last
133	Assisting Voter	Missouri Residence
134		(if applicable)

135        4. The statement for persons voting absentee ballots  
136 who are entitled to vote at the election pursuant to the  
137 provisions of subsection 2 of section 115.137 shall be in  
138 substantially the following form:

139        State of Missouri  
140        County (City) of \_\_\_\_\_

141 I, \_\_\_\_\_ (print name), declare under the  
142 penalties of perjury that I expect to be prevented  
143 from going to the polls on election day due to  
144 (check one):

145 \_\_\_\_\_ absence on election day from the  
146 jurisdiction of the election authority in  
147 which I am directed to vote;

148 \_\_\_\_\_ incapacity or confinement due to illness  
149 or physical disability on election day,  
150 including caring for a person who is  
151 incapacitated or confined due to illness  
152 or disability and resides at the same  
153 address;

154 \_\_\_\_\_ religious belief or practice;

155 \_\_\_\_\_ employment as an election authority, by an  
156 election authority at a location other  
157 than my polling place, as a first  
158 responder, as a health care worker, or as  
159 a member of law enforcement;

160 \_\_\_\_\_ incarceration, although I have retained  
161 all the necessary qualifications of  
162 voting;

163 \_\_\_\_\_ certified participation in the address  
164 confidentiality program established under  
165 sections 589.660 to 589.681 because of  
166 safety concerns.

167 I hereby state under penalties of perjury that I  
168 own property in the \_\_\_\_\_ district and am  
169 qualified to vote at this election; I have not  
170 voted and will not vote other than by this ballot  
171 at this election. I further state that I marked  
172 the enclosed ballot in secret or that I am blind,  
173 unable to read and write English, or physically  
174 incapable of marking the ballot, and the person of  
175 my choosing indicated below marked the ballot at

176 my direction; all of the information on this  
177 statement is, to the best of my knowledge and  
178 belief, true.

179 \_\_\_\_\_ Subscribed and sworn

180 Signature of Voter to before me this

181 \_\_\_\_\_ day of

182 \_\_\_\_\_, \_\_\_\_\_

183 \_\_\_\_\_

184 \_\_\_\_\_

185 Address Signature of notary or

186 other officer

187 authorized to

188 administer oaths

189 \_\_\_\_\_

190 Signature of Person

191 Assisting Voter

192 (if applicable)

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

195 The voter needed assistance in marking the ballot  
196 and signing above, because of blindness, other  
197 physical disability, or inability to read or to  
198 read English. I marked the ballot enclosed in this  
199 envelope at the voter's direction, when I was  
200 alone with the voter, and I had no other  
201 communication with the voter as to how he or she

202 was to vote. The voter swore or affirmed the voter  
203 affidavit above and I then signed the voter's name  
204 and completed the other voter information above.  
205 Signed under the penalties of perjury.

206 Reason why voter needed assistance: \_\_\_\_\_

207 ASSISTING PERSON SIGN HERE

208 1. \_\_\_\_\_ (signature of assisting person)

209 2. \_\_\_\_\_ (assisting person's name printed)

210 3. \_\_\_\_\_ (assisting person's residence)

211 4. \_\_\_\_\_ (assisting person's home city or town).

212 6. Notwithstanding any other provision of this  
213 section, any covered voter as defined in section 115.902 or  
214 persons who have declared themselves to be permanently  
215 disabled pursuant to section 115.284, otherwise entitled to  
216 vote, shall not be required to obtain a notary seal or  
217 signature on his or her absentee ballot.

218 7. Notwithstanding any other provision of this section  
219 or section 115.291 to the contrary, the subscription,  
220 signature and seal of a notary or other officer authorized  
221 to administer oaths shall not be required on any ballot,  
222 ballot envelope, or statement required by this section if  
223 the reason for the voter voting absentee is due to the  
224 reasons established pursuant to subdivision (2) of  
225 subsection 3 of section 115.277.

226 8. No notary shall charge or collect a fee for  
227 notarizing the signature on any absentee ballot or absentee  
228 voter registration.

229 9. A notary public who charges more than the maximum  
230 fee specified or who charges or collects a fee for

231 notarizing the signature on any absentee ballot or absentee  
232 voter registration is guilty of official misconduct.

115.507. 1. Not later than the second Tuesday after  
2 the election, the verification board shall issue a statement  
3 announcing the results of each election held within its  
4 jurisdiction and shall certify the returns to each political  
5 subdivision and special district submitting a candidate or  
6 question at the election. The statement shall include a  
7 categorization of the number of regular and absentee votes  
8 cast in the election, and how those votes were cast;  
9 provided however, that absentee votes shall not be reported  
10 separately where such reporting would disclose how any  
11 single voter cast his or her vote. When absentee votes are  
12 not reported separately the statement shall include the  
13 reason why such reporting did not occur. Nothing in this  
14 section shall be construed to require the election authority  
15 to tabulate absentee ballots by precinct on election night.

16 2. The verification board shall prepare the returns by  
17 drawing an abstract of the votes cast for each candidate and  
18 on each question submitted to a vote of people in its  
19 jurisdiction by the state and by each political subdivision  
20 and special district at the election. The abstract of votes  
21 drawn by the verification board shall be the official  
22 returns of the election.

23 3. Any home rule city with more than four hundred  
24 thousand inhabitants and located in more than one county may  
25 by ordinance designate one of the election authorities  
26 situated partially or wholly within that home rule city to  
27 be the verification board that shall certify the returns of  
28 such city submitting a candidate or question at any election  
29 and shall notify each verification board within the city of  
30 that designation by providing each with a copy of such duly

31 adopted ordinance. Not later than the second Tuesday after  
32 any election in any city making such a designation, each  
33 verification board within the city shall certify the returns  
34 of such city submitting a candidate or question at the  
35 election to the election authority so designated by the city  
36 to be its verification board, and such election authority  
37 shall announce the results of the election and certify the  
38 cumulative returns to the city in conformance with  
39 subsections 1 and 2 of this section not later than ten days  
40 thereafter.

41 4. Not later than the second Tuesday after each  
42 election at which the name of a candidate for nomination or  
43 election to the office of president of the United States,  
44 United States senator, representative in Congress, governor,  
45 lieutenant governor, state senator, state representative,  
46 judge of the circuit court, secretary of state, attorney  
47 general, state treasurer, or state auditor, or at which an  
48 initiative, referendum, constitutional amendment or question  
49 of retaining a judge subject to the provisions of Article V,  
50 Sections 25(a) to 25(g) of the State Constitution, appears  
51 on the ballot in a jurisdiction, the election authority of  
52 the jurisdiction shall mail or deliver to the secretary of  
53 state the abstract of the votes, **including both regular**  
54 **votes and absentee votes aggregated together**, given in its  
55 jurisdiction, by [polling place or] precinct, for each such  
56 office and on each such question. If mailed, the abstract  
57 shall be enclosed in a strong, sealed envelope or  
58 envelopes. On the outside of each envelope shall be  
59 printed: "Returns of election held in the county of \_\_\_\_\_  
60 (City of St. Louis, Kansas City) on the \_\_\_\_\_ day of  
61 \_\_\_\_\_, \_\_\_\_\_, ", etc.

347.740. The secretary of state may collect an  
2 additional fee of five dollars on each and every fee  
3 required in this chapter. All fees collected as provided in  
4 this section shall be deposited in the state treasury and  
5 credited to the secretary of state's technology trust fund  
6 account. The provisions of this section shall expire on  
7 December 31, [2026] 2030.

351.127. The secretary of state may collect an  
2 additional fee of five dollars on each and every fee  
3 required in this chapter, provided that the secretary of  
4 state may collect an additional fee of ten dollars on each  
5 corporate registration report fee filed under section  
6 351.122. All fees collected as provided in this section  
7 shall be deposited in the state treasury and credited to the  
8 secretary of state's technology trust fund account. The  
9 provisions of this section shall expire on December 31,  
10 [2026] 2030.

355.023. The secretary of state may collect an  
2 additional fee of five dollars on each and every fee  
3 required in this chapter. All fees collected as provided in  
4 this section shall be deposited in the state treasury and  
5 credited to the secretary of state's technology trust fund  
6 account. The provisions of this section shall expire on  
7 December 31, [2026] 2030.

356.233. The secretary of state may collect an  
2 additional fee of five dollars on each and every fee  
3 required in this chapter. All fees collected as provided in  
4 this section shall be deposited in the state treasury and  
5 credited to the secretary of state's technology trust fund  
6 account. The provisions of this section shall expire on  
7 December 31, [2026] 2030.



359.653. The secretary of state may collect an  
2 additional fee of five dollars on each and every fee  
3 required in this chapter. All fees collected as provided in  
4 this section shall be deposited in the state treasury and  
5 credited to the secretary of state's technology trust fund  
6 account. The provisions of this section shall expire on  
7 December 31, [2026] 2030.

400.9-528. The secretary of state may collect an  
2 additional fee of five dollars on each and every fee paid to  
3 the secretary of state as required in chapter 400.9. All  
4 fees collected as provided in this section shall be  
5 deposited in the state treasury and credited to the  
6 secretary of state's technology trust fund account. The  
7 provisions of this section shall expire on December 31,  
8 [2026] 2030.

417.018. The secretary of state may collect an  
2 additional fee of five dollars on each and every fee  
3 required in this chapter. All fees collected as provided in  
4 this section shall be deposited in the state treasury and  
5 credited to the secretary of state's technology trust fund  
6 account. The provisions of this section shall expire on  
7 December 31, [2026] 2030.

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