

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2140

101ST GENERAL ASSEMBLY

4468H.03P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.902, and 115.960, RSMo, and to enact in lieu thereof forty-one new sections relating to elections, with penalty provisions.

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

Section A. Sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.902, and 115.960, RSMo, are repealed and forty-one new sections enacted in lieu thereof, to be known as sections 28.960, 115.004, 115.013, 115.022, 115.031, 115.045, 115.051, 115.081, 115.085, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.902, 115.960, 115.1200, 115.1500, 115.1505, 115.1510, 167.177, 1, and 2, to read as follows:

**28.960. 1. The secretary of state shall have the authority to, at his or her discretion, audit the list of registered voters for any election authority to ensure accuracy.**

**2. Any audit conducted by the secretary of state shall, at minimum, determine whether the local election authority has performed the following voter registration list maintenance activities, as required by law:**

**(1) Sending verification notices in accordance with section 115.155; and**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8           **(2) Registering voters and removing names from the voter registration system in**  
9 **accordance with section 115.158.**

10           **3. After completing the audit, the secretary of state shall notify the local election**  
11 **authority of any maintenance updates that are required and shall advise the local**  
12 **election authority they have thirty days to make required updates. If, after thirty days,**  
13 **the secretary of state determines that the local election authority has not performed the**  
14 **required maintenance of voter registration lists as required by law, the secretary of**  
15 **state's office shall have the authority to withhold funds from the local election authority.**

**115.004. The sections of this chapter and all related rules and regulations shall**  
2 **not be amended or modified in any manner in the twenty-six weeks preceding a**  
3 **presidential election.**

          115.013. As used in this chapter, unless the context clearly implies otherwise, the  
2 following terms mean:

3           **(1) "Air-gap" or "air-gapped", a security measure in which equipment is**  
4 **physically and technically isolated from any network and is not directly connected to the**  
5 **internet nor is it connected to any other system that is connected to the internet. Data**  
6 **can only be passed to an air-gapped device physically via a USB or other removable**  
7 **media;**

8           **(2) "Automatic tabulating equipment", the apparatus necessary to examine and**  
9 **automatically count votes, and the data processing machines which are used for counting**  
10 **votes and tabulating results and which are air-gapped and not able to be connected to a**  
11 **network;**

12           ~~[(2)]~~ **(3) "Ballot", the ~~[ballot card,]~~ paper ballot, or ballot designed for use with an**  
13 **electronic voting system on which each voter may cast all votes to which he or she is entitled**  
14 **at an election;**

15           ~~[(3) "Ballot card", a ballot which is voted by making a mark which can be tabulated~~  
16 ~~by automatic tabulating equipment;]~~

17           **(4) "Ballot label", the card, paper, booklet, page, or other material containing the**  
18 **names of all offices and candidates and statements of all questions to be voted on;**

19           **(5) "Counting location", a location selected by the election authority for the automatic**  
20 **processing or counting, or both, of ballots;**

21           **(6) "County", any county in this state or any city not within a county;**

22           **(7) "Disqualified", a determination made by a court of competent jurisdiction, the**  
23 **Missouri ethics commission, an election authority or any other body authorized by law to**  
24 **make such a determination that a candidate is ineligible to hold office or not entitled to be**  
25 **voted on for office;**

26 (8) "District", an area within the state or within a political subdivision of the state  
27 from which a person is elected to represent the area on a policy-making body with  
28 representatives of other areas in the state or political subdivision;

29 (9) "Electronic voting machine", any part of an **air-gapped** electronic voting system  
30 on which a voter is able to cast a ballot under this chapter;

31 (10) "Electronic voting system", a system of casting votes by use of marking devices,  
32 and counting votes by use of automatic **air-gapped** tabulating or **air-gapped** data processing  
33 equipment, including computerized voting systems;

34 (11) "Established political party" for the state, a political party which, at either of the  
35 last two general elections, polled for its candidate for any statewide office more than two  
36 percent of the entire vote cast for the office. "Established political party" for any district or  
37 political subdivision shall mean a political party which polled more than two percent of the  
38 entire vote cast at either of the last two elections in which the district or political subdivision  
39 voted as a unit for the election of officers or representatives to serve its area;

40 (12) "Federal office", the office of presidential elector, United States senator, or  
41 representative in Congress;

42 (13) "Independent", a candidate who is not a candidate of any political party and who  
43 is running for an office for which political party candidates may run;

44 (14) "Major political party", the political party whose candidates received the highest  
45 or second highest number of votes at the last general election;

46 (15) "Marking device", any ~~approved~~ device **approved by the secretary of state**  
47 **under section 115.225** which will enable the votes to be counted by automatic tabulating  
48 equipment;

49 (16) "Municipal" or "municipality", a city, village, or incorporated town of this state;

50 (17) "New party", any political group which has filed a valid petition and is entitled to  
51 place its list of candidates on the ballot at the next general or special election;

52 (18) "Nonpartisan", a candidate who is not a candidate of any political party and who  
53 is running for an office for which party candidates may not run;

54 (19) "Political party", any established political party and any new party;

55 (20) "Political subdivision", a county, city, town, village, or township of a township  
56 organization county;

57 (21) "Polling place", the voting place designated for all voters residing in one or more  
58 precincts for any election;

59 (22) "Precincts", the geographical areas into which the election authority divides its  
60 jurisdiction for the purpose of conducting elections;

61 (23) "Public office", any office established by constitution, statute or charter and any  
62 employment under the United States, the state of Missouri, or any political subdivision or

63 special district thereof, but does not include any office in the Missouri state defense force or  
64 the National Guard or the office of notary public or city attorney in cities of the third  
65 classification or cities of the fourth classification;

66 (24) "Question", any measure on the ballot which can be voted "YES" or "NO";

67 (25) "Relative within the second degree by consanguinity or affinity", a spouse,  
68 parent, child, grandparent, brother, sister, grandchild, mother-in-law, father-in-law, daughter-  
69 in-law, or son-in-law;

70 (26) "Special district", any school district, water district, fire protection district,  
71 hospital district, health center, nursing district, or other districts with taxing authority, or other  
72 district formed pursuant to the laws of Missouri to provide limited, specific services;

73 (27) "Special election", elections called by any school district, water district, fire  
74 protection district, or other district formed pursuant to the laws of Missouri to provide limited,  
75 specific services; and

76 (28) "Voting district", the one or more precincts within which all voters vote at a  
77 single polling place for any election.

**115.022. Notwithstanding any other law to the contrary, neither the state of  
2 Missouri nor any political subdivision thereof that conducts elections shall receive or  
3 expend private moneys for preparing, administering, or conducting an election  
4 including registering voters.**

115.031. Each election commissioner shall be a registered voter and a resident of the  
2 jurisdiction for which he **or she** is appointed [~~for at least one year preceding his appointment~~].  
3 During his term of office, no commissioner shall hold any statutory position within a political  
4 party or on a political committee, be a candidate for political office or hold any other public  
5 office.

115.045. Each election authority shall have the authority to employ such attorneys  
2 and other employees as may be necessary to promptly and correctly perform the duties of the  
3 election authority. Where an electronic voting system or voting machines are used, the  
4 election authority shall designate competent employees to have custody of and supervise  
5 maintenance of the voting equipment. Board of election commissioners' employees shall be  
6 subject to the same restrictions and subscribe the same oath as members of the board of  
7 election commissioners, except that no employee of a board of election commissioners shall  
8 be required to post bond **or reside and be a registered voter within the jurisdiction of the  
9 election authority** unless directed to do so by the board. Employee oaths and any bonds shall  
10 be filed and preserved in the office of the board.

115.051. 1. In each county which does not have a board of election commissioners,  
2 the county clerk shall have the right to employ such deputies and assistants as are necessary to  
3 promptly and correctly register voters and conduct elections. Where an electronic voting

4 system or voting machines are used, the county clerk shall designate competent employees to  
5 have custody of and supervise maintenance of the voting equipment. Each deputy shall be  
6 subject to the same restrictions and subscribe the same oath as the county clerk, except that no  
7 employee shall be required to post bond **or reside and be a registered voter within the**  
8 **jurisdiction of the election authority** unless directed to do so by the clerk. Employee oaths  
9 and any bonds shall be filed and preserved in the office of the county clerk.

10 2. Within the total amount for deputies and assistants approved by the county  
11 commission, the salary of each deputy and assistant shall be set by the county clerk.

115.081. 1. Each election authority shall appoint election judges for each polling  
2 place within its jurisdiction in accordance with the provisions of this section.

3 2. In all primary and general elections, the election authority shall appoint at least two  
4 judges from each major political party to serve at each polling place. **The committee of each**  
5 **major political party within the jurisdiction of an election authority is authorized to**  
6 **provide the election authority with a list of election judge candidates who meet the**  
7 **requirements under section 115.085. The candidates shall not be required to reside**  
8 **within the jurisdiction of the election authority, as authorized under section 115.085. If**  
9 **a committee of a major political party within the jurisdiction of an election authority**  
10 **fails to provide the prescribed number of qualified names to fill all election judge**  
11 **positions before the date established by the election authority, the election authority may**  
12 **select judges to fill the positions as provided by law. If the election authority determines**  
13 **that a name submitted by a committee of a major political party is not qualified to serve**  
14 **as an election judge, the election authority shall allow the party to submit another name**  
15 **before filling the position as provided by law.** No major political party shall have a  
16 majority of the judges at any polling place. No established party shall have a greater number  
17 of judges at any polling place than any major political party.

18 3. In any election that is not a primary or general election, the election authority shall  
19 appoint at least one judge from each major political party to serve at each polling place. No  
20 major political party shall have a majority of the judges at any polling place. No established  
21 party shall have a greater number of judges at any polling place than any major political party.

22 4. The election authority shall designate two of the judges appointed for each polling  
23 place, one from each major political party, as supervisory judges. Supervisory judges shall be  
24 responsible for the return of election supplies from the polling place to the election authority  
25 and shall have any additional duties prescribed by the election authority.

26 5. Election judges may be employed to serve for the first half or last half of any  
27 election day. Such judges shall be paid one-half the regular rate of pay. If part-time judges  
28 are employed, the election authority shall employ such judges and shall see that a sufficient  
29 number for each period are present at all times so as to have the proper total number of judges

30 present at each polling place throughout each election day. The election authority shall  
31 require that at each polling place at least one election judge from each political party serve a  
32 full day and that at all times during the day there be an equal number of election judges from  
33 each political party.

34 6. An election authority may appoint additional election judges representing other  
35 established political parties and additional election judges who do not claim a political  
36 affiliation. Any question which requires a decision by the majority of judges shall only be  
37 made by the judges from the major political parties.

115.085. No person shall be appointed to serve as an election judge who is not a  
2 registered voter in this state~~]; provided that, before any election authority may appoint judges~~  
3 ~~who are registered voters of another election authority's jurisdiction, the election authority~~  
4 ~~shall obtain the written consent of the election authority for the jurisdiction where the~~  
5 ~~prospective judges are registered to vote].~~ Each election judge shall be a person of good  
6 repute and character who can speak, read, and write the English language. No person shall  
7 serve as an election judge at any polling place in which his or her name or the name of a  
8 relative within the second degree, by consanguinity or affinity, appears on the ballot.  
9 However, no relative of any unopposed candidate shall be disqualified from serving as an  
10 election judge in any election jurisdiction of the state. No election judge shall, during his or  
11 her term of office, hold any other elective public office, other than as a member of a political  
12 party committee or township office, except any person who is elected to a board or  
13 commission of a political subdivision or special district may serve as an election judge except  
14 at a polling place where such political subdivision or special district has an issue or candidate  
15 on the ballot. In any county having a population of less than two hundred fifty thousand  
16 inhabitants, any candidate for the county committee of a political party who is not a candidate  
17 for any other office and who is unopposed for election as a member of the committee shall not  
18 be disqualified from serving as an election judge.

115.135. 1. Any person who is qualified to vote, or who shall become qualified to  
2 vote on or before the day of election, shall be entitled to register in the jurisdiction within  
3 which he or she resides. In order to vote in any election for which registration is required, a  
4 person must be registered to vote in the ~~jurisdiction of his or her residence]~~ **state of Missouri**  
5 no later than 5:00 p.m., or the normal closing time of any public building where the  
6 registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to  
7 the election, unless the voter is an interstate former resident, ~~[an intrastate new resident,]~~ a  
8 new resident, or a covered voter, as defined in section 115.275. ~~[Except as provided in~~  
9 ~~subsection 4 of this section, in no case shall registration for an election extend beyond 10:00~~  
10 ~~p.m. on the fourth Wednesday prior to the election.]~~ Any person registering after such date  
11 shall be eligible to vote in subsequent elections.

12           2. A person applying to register with an election authority or a deputy registration  
13 official shall identify himself or herself by presenting a copy of a birth certificate, a Native  
14 American tribal document, other proof of United States citizenship, a valid Missouri drivers  
15 license or other form of personal identification at the time of registration.

16           3. Except as provided in federal law or federal elections and in section 115.277, no  
17 person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his  
18 or her residence [~~prior to the deadline to register to vote~~].

19           4. A covered voter as defined in section 115.275 who has been discharged from  
20 military service, has returned from a military deployment or activation, or has separated from  
21 employment outside the territorial limits of the United States after the deadline to register to  
22 vote, and who is otherwise qualified to register to vote, may register to vote in an election in  
23 person before the election authority until 5:00 p.m. on the Friday before such election. Such  
24 persons shall produce sufficient documentation showing evidence of qualifying for late  
25 registration pursuant to this section.

115.151. 1. Each qualified applicant who appears before the election authority shall  
2 be deemed registered as of the time the applicant's completed, signed and sworn registration  
3 application is witnessed by the election authority or deputy registration official.

4           2. Each applicant who registers by mail shall be deemed to be registered as of the date  
5 the application is postmarked, if such application is accepted and not rejected by the election  
6 authority and the verification notice required pursuant to section 115.155 is not returned as  
7 undeliverable by the postal service.

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

115.157. 1. The election authority may place all information on any registration cards  
2 in computerized form in accordance with section 115.158. No election authority or secretary  
3 of state shall furnish to any member of the public electronic media or printout showing any  
4 registration information, except as provided in this section. Except as provided in subsection  
5 2 of this section, the election authority or secretary of state shall make available electronic

6 media or printouts showing **only** unique voter identification numbers, voters' names, [dates]  
7 **year** of birth, addresses, townships or wards, and precincts. Electronic data shall be  
8 maintained in at least the following separate fields:

- 9 (1) Voter identification number;
- 10 (2) First name;
- 11 (3) Middle initial;
- 12 (4) Last name;
- 13 (5) Suffix;
- 14 (6) Street number;
- 15 (7) Street direction;
- 16 (8) Street name;
- 17 (9) Street suffix;
- 18 (10) Apartment number;
- 19 (11) City;
- 20 (12) State;
- 21 (13) Zip code;
- 22 (14) Township;
- 23 (15) Ward;
- 24 (16) Precinct;
- 25 (17) Senatorial district;
- 26 (18) Representative district;
- 27 (19) Congressional district.

28 2. All election authorities shall enter voter history in their computerized registration  
29 systems and shall, not more than [six] **three** months after the election, forward such data to  
30 the Missouri voter registration system established in section 115.158. In addition, election  
31 authorities shall forward registration and other data in a manner prescribed by the secretary of  
32 state to comply with the Help America Vote Act of 2002.

33 3. Except as provided in subsection 6 of this section, the election authority shall  
34 furnish, for a fee, electronic media or a printout showing **only** the names, [dates] **year** of birth  
35 and addresses of voters, or any part thereof, within the jurisdiction of the election authority  
36 who voted in any specific election, including primary elections, by township, ward or  
37 precinct, provided that nothing in this chapter shall require such voter information to be  
38 released to the public over the internet **and shall not be used for commercial purposes.**

39 4. ~~[Except as provided in subsection 6 of this section, upon a request by a candidate, a~~  
40 ~~duly authorized representative of a campaign committee, or a political party committee, the~~  
41 ~~secretary of state shall furnish, for a fee determined by the secretary of state and in~~  
42 ~~compliance with section 610.026, media in an electronic format or, if so requested, in a~~

~~43 printed format, showing the names, addresses, and voter identification numbers of voters  
44 within the jurisdiction of a specific election authority who applied for an absentee ballot  
45 under section 115.279 for any specific election involving a ballot measure or an office for  
46 which the declaration of candidacy is required to be filed with the secretary of state pursuant  
47 to section 115.353, including primary elections, by township, ward, or precinct. Nothing in  
48 this section shall require such voter information to be released to the public over the internet.  
49 For purposes of this section, the terms "candidate", "campaign committee", and "political  
50 party committee" shall have the same meaning given to such terms in section 130.011.~~

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

61       6.] 5. Any person working as an undercover officer of a local, state or federal law  
62 enforcement agency, persons in witness protection programs, and victims of domestic  
63 violence and abuse who have received orders of protection pursuant to chapter 455 shall be  
64 entitled to apply to the circuit court having jurisdiction in his or her county of residence to  
65 have the residential address on his or her voter registration records closed to the public if the  
66 release of such information could endanger the safety of the person. Any person working as  
67 an undercover agent or in a witness protection program shall also submit a statement from the  
68 chief executive officer of the agency under whose direction he or she is serving. The petition  
69 to close the residential address shall be incorporated into any petition for protective order  
70 provided by circuit clerks pursuant to chapter 455. If satisfied that the person filing the  
71 petition meets the qualifications of this subsection, the circuit court shall issue an order to the  
72 election authority to keep the residential address of the voter a closed record and the address  
73 may be used only for the purposes of administering elections pursuant to this chapter. The  
74 election authority may require the voter who has a closed residential address record to verify  
75 that his or her residential address has not changed or to file a change of address and to affirm  
76 that the reasons contained in the original petition are still accurate prior to receiving a ballot.  
77 A change of address within an election authority's jurisdiction shall not require that the voter  
78 file a new petition. Any voter who no longer qualifies pursuant to this subsection to have his  
79 or her residential address as a closed record shall notify the circuit court. Upon such

80 notification, the circuit court shall void the order closing the residential address and so notify  
81 the election authority.

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

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

8 3. After conferring with the secretary of state as the chief state election official  
9 responsible for overseeing of the voter registration process, the director of revenue shall adopt  
10 rules and regulations pertaining to the format of the voter registration application used by the  
11 department. **The director of revenue shall utilize electronic voter registration application**  
12 **forms and provide for secure electronic transfer of voter registration information to**  
13 **election authorities. The secretary of state and the director of revenue shall ensure the**  
14 **confidentiality and integrity of the voter registration data collected, maintained,**  
15 **received, or transmitted under this section.**

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

19 5. Any voter registration application received pursuant to the provisions of this  
20 section shall be forwarded, **in a secure and electronic manner**, to the election authority  
21 located within that county or any city not within a county, or if there is more than one election  
22 authority within the county, then to the election authority located nearest to the location where  
23 the driver's license application was received. **Voter registration information, including an**  
24 **electronic image of the signature of the applicant, shall be transmitted in a format**  
25 **compatible with the Missouri voter registration system established in section 115.158**  
26 **that allows for review by the election authority and does not require the election**  
27 **authority to manually reenter the information.** The election authority receiving the  
28 application forms shall review the applications and forward, **in a secure and electronic**  
29 **manner**, any applications pertaining to a different election authority to that election authority.

30 6. A completed voter registration application accepted in the driver's licensing  
31 process shall be transmitted to the election authority described in subsection 5 of this section  
32 not later than ~~[five]~~ **three** business days after the form is completed by the applicant.

33 7. Any person registering to vote when applying for or renewing a Missouri driver's  
34 license shall submit with the application form a copy of a birth certificate, a Native American  
35 tribal document, or other proof of United States citizenship, a valid Missouri driver's license,

36 or other form of personal identification. **Any person who, at the time of a transaction with**  
37 **the division of motor vehicle and driver licensing of the department of revenue, provides**  
38 **a document that establishes noncitizenship shall not be offered the opportunity to**  
39 **register to vote as part of the transaction.**

40 **8. The secretary of state and the director of revenue shall jointly develop a**  
41 **process by which the division of motor vehicle and driver licensing of the department of**  
42 **revenue, upon obtaining as part of a license transaction a person's full name, date of**  
43 **birth, driver's license or state identification number, residence address, and mailing**  
44 **address, if different from such person's residence address, may use information from**  
45 **the statewide voter registration database to determine whether the person is already**  
46 **registered to vote in this state and, if so, whether the person is registered at the address**  
47 **and under the name the person provided to the division of motor vehicle and driver**  
48 **licensing of the department of revenue.**

115.165. 1. If the voter files a change of address application in person at the office of  
2 the election authority, at the polling place, or pursuant to section 115.159, 115.160, 115.162 or  
3 115.193, or otherwise provides signed written notice of the move, including notice by  
4 facsimile, **electronic, or online** transmission, an election authority may change the address on  
5 a voter registration record for a voter who moves within the election authority's jurisdiction  
6 after comparing and verifying the signature. Before changing the address on a voter record,  
7 the election authority shall be satisfied that the record is that of the person providing the  
8 change of address information.

9 2. A registered voter who has changed his or her residence within an election  
10 authority's jurisdiction and has not been removed from the list of registered voters pursuant to  
11 this chapter shall be permitted to file a change of address with the election authority or before  
12 an election judge at a polling place and vote at a central polling place or at the polling place  
13 that serves his or her new address upon written or oral affirmation by the voter of the new  
14 address.

15 3. **A registered voter who has changed his or her residence within the state and**  
16 **has not been removed from the list of registered voters under this chapter shall be**  
17 **permitted to file a change of address in person at the office of the election authority after**  
18 **the deadline to register to vote, including on election day in person at the office of the**  
19 **election authority. In order to change an address in person on election day under this**  
20 **subsection, a registered voter shall provide a form of personal identification required**  
21 **under subsection 1 of section 115.427.**

22 4. If the applicant for registration was last registered in another jurisdiction within  
23 this state or another state, the election authority shall send notice of the registration to the  
24 election authority where the applicant was previously registered. The election authority

25 sending the notice shall provide identifying information to assist the election authority  
 26 receiving the notice to determine whether the person named was previously registered in such  
 27 jurisdiction and whether, based on the identifying information provided, the application can  
 28 be removed from the voting record in the former jurisdiction.

29 ~~[4.]~~ **5.** Upon receipt of a notice from another election authority that a voter has  
 30 registered in another jurisdiction in this state or another state, the election authority shall  
 31 determine whether sufficient information is provided in the notice to identify the person  
 32 named in such notice as previously registered in the election authority's jurisdiction and  
 33 presently removable from the voting records in the election authority's jurisdiction. Every  
 34 election authority is authorized to examine the information provided in a notice of duplicate  
 35 registration provided by the Missouri voter registration system authorized pursuant to section  
 36 115.158 to determine if a voter in one election authority's voter registration records has  
 37 subsequently registered in another jurisdiction. If, after reviewing the information provided,  
 38 the election authority is satisfied that the person identified in the notice is listed as a registered  
 39 voter in the election authority's jurisdiction but has subsequently registered in another  
 40 jurisdiction, the election authority may remove the person's registration from the list of  
 41 registered voters.

115.205. 1. ~~[Any]~~ **No person [who is] shall be** paid or otherwise compensated for  
 2 soliciting ~~[more than ten]~~ voter registration applications, other than a governmental entity or a  
 3 person who is paid or compensated by a governmental entity for such solicitation~~[-, shall be~~  
 4 ~~registered with the secretary of state as a voter registration solicitor]~~. A voter registration  
 5 solicitor **who solicits more than ten voter registration applications** shall register for every  
 6 election cycle that begins on the day after the general election and ends on the day of the  
 7 general election two years later. A voter registration solicitor shall be at least eighteen years  
 8 of age and shall be a registered voter in the state of Missouri.

9 2. Each voter registration solicitor shall provide the following information in writing  
 10 to the secretary of state's office:

- 11 (1) The name of the voter registration solicitor;
- 12 (2) The residential address, including street number, city, state, and zip code;
- 13 (3) The mailing address, if different from the residential address; **and**
- 14 (4) ~~[Whether the voter registration solicitor expects to be paid for soliciting voter~~  
 15 ~~registrations;~~
- 16 ~~(5) If the voter registration solicitor expects to be paid, the identity of the payor; or~~  
 17 ~~(6)]~~ The signature of the voter registration solicitor.

18 3. The solicitor information required in subsection 2 of this section shall be submitted  
 19 to the secretary of state's office with the following oath and affirmation:

20 "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL  
21 STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

22 4. Any voter registration solicitor who knowingly fails to register with the secretary  
23 of state is guilty of a class three election offense. Voter registration applications shall be  
24 accepted by the election authority if such applications are otherwise valid, even if the voter  
25 registration solicitor who procured the applications fails to register with or submits false  
26 information to the secretary of state.

115.225. 1. Before use by election authorities in this state, the secretary of state shall  
2 approve the marking devices and the automatic tabulating equipment used in electronic  
3 voting systems and may promulgate rules and regulations to implement the intent of sections  
4 115.225 to 115.235.

5 2. No electronic voting system shall be approved unless it:

- 6 (1) Permits voting in absolute secrecy;
- 7 (2) Permits each voter to vote for as many candidates for each office as a voter is  
8 lawfully entitled to vote for;
- 9 (3) Permits each voter to vote for or against as many questions as a voter is lawfully  
10 entitled to vote on, and no more;
- 11 (4) Provides facilities for each voter to cast as many write-in votes for each office as a  
12 voter is lawfully entitled to cast;
- 13 (5) Permits each voter in a primary election to vote for the candidates of only one  
14 party announced by the voter in advance;
- 15 (6) Permits each voter at a presidential election to vote by use of a single mark for the  
16 candidates of one party or group of petitioners for president, vice president and their  
17 presidential electors;
- 18 (7) Accurately counts all proper votes cast for each candidate and for and against each  
19 question;
- 20 (8) Is set to reject all votes, except write-in votes, for any office and on any question  
21 when the number of votes exceeds the number a voter is lawfully entitled to cast;
- 22 (9) Permits each voter, while voting, to clearly see the ballot label;
- 23 (10) Has been tested and is certified by an independent authority that meets the voting  
24 system standards developed by the Federal Election Commission or its successor agency. The  
25 provisions of this subdivision shall not be required for any system purchased prior to August  
26 28, 2002.

27 3. The secretary of state shall promulgate rules and regulations to allow the use of a  
28 computerized voting system. The procedures shall provide for the use of a computerized  
29 voting system with the ability to provide a paper audit trail. Notwithstanding any provisions

30 of this chapter to the contrary, such a system may allow for the storage of processed ballot  
31 materials in an electronic form.

32 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
33 created under the authority delegated in this section shall become effective only if it complies  
34 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
35 This section and chapter 536 are nonseverable and if any of the powers vested with the  
36 general assembly pursuant to chapter 536 to review, to delay the effective date or to  
37 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
38 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid  
39 and void.

40 **5. If any election authority uses any touchscreen direct-recording electronic**  
41 **vote-counting machine, the election authority may continue to use such machine. Upon**  
42 **the removal of such voting machine from the election authority's inventory because of**  
43 **mechanical malfunction, wear and tear, or any other reason, the machine shall not be**  
44 **replaced and no additional direct-recording electronic voting machine shall be added to**  
45 **the election authority's inventory. Such machines shall not be used beginning January**  
46 **1, 2024, except that election authorities may allow the machines to be used by voters who**  
47 **are disabled as long as the machines are functional. Replacement of equipment for use**  
48 **by voters who are disabled shall be with paper ballot marking devices designed to assist**  
49 **voters.**

50 **6. The secretary of state shall have authority to require cyber security testing,**  
51 **including penetration testing, of vendor machines, programs, and systems. Failure to**  
52 **participate in such testing shall result in a revocation of vendor certification. Upon**  
53 **notice from another jurisdiction of cyber security failures or certification withholds or**  
54 **revocation, the secretary of state shall have authority to revoke or withhold certification**  
55 **for vendors. The requirements of this section shall be subject to appropriation for the**  
56 **purpose of cyber security testing.**

115.237. 1. Each ballot printed or designed for use with an electronic voting system  
2 for any election pursuant to this chapter shall contain all questions and the names of all offices  
3 and candidates certified or filed pursuant to this chapter and no other. **Beginning January 1,**  
4 **2024, the official ballot shall be a paper ballot that is hand marked by the voter or by a**  
5 **paper ballot marking device designed to assist voters requesting such assistance as**  
6 **authorized under subsection 5 of section 115.225.** As far as practicable, all questions and  
7 the names of all offices and candidates for which each voter is entitled to vote shall be printed  
8 on one page except for the ballot for political party committee persons in polling places not  
9 utilizing an electronic voting system which may be printed separately and in conformity with  
10 the requirements contained in this section. As far as practicable, ballots containing only

11 questions and the names of nonpartisan offices and candidates shall be printed in accordance  
12 with the provisions of this section, except that the ballot information may be listed in vertical  
13 or horizontal rows. The names of candidates for each office shall be listed in the order in  
14 which they are filed.

15         2. In polling places using electronic voting systems, the ballot information may be  
16 arranged in vertical or horizontal rows or on a number of separate pages or screens. In any  
17 event, the name of each candidate, the candidate's party, the office for which he or she is a  
18 candidate, and each question shall be indicated clearly on the ballot.

19         3. Nothing in this subchapter shall be construed as prohibiting the use of a separate  
20 paper ballot for questions or for the presidential preference primary in any polling place using  
21 an electronic voting system.

22         4. Where electronic voting systems are used and when write-in votes are authorized  
23 by law, a write-in ballot, which may be in the form of a separate paper ballot, card, or  
24 envelope, may be provided by the election authority to permit each voter to write in the names  
25 of persons whose names do not appear on the ballot.

26         5. No ballot printed or designed for use with an electronic voting system for any  
27 partisan election held under this chapter shall allow a person to vote a straight political party  
28 ticket. For purposes of this subsection, a "straight political party ticket" means voting for all  
29 of the candidates for elective office who are on the ballot representing a single political party  
30 by a single selection on the ballot.

31         6. The secretary of state shall promulgate rules that specify uniform standards for  
32 ballot layout for each electronic or computerized ballot counting system approved under the  
33 provisions of section 115.225 so that the ballot used with any counting system is, where  
34 possible, consistent with the intent of this section. Nothing in this section shall be construed  
35 to require the format specified in this section if it does not meet the requirements of the ballot  
36 counting system used by the election authority.

37         7. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
38 created under the authority delegated in this section shall become effective only if it complies  
39 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
40 This section and chapter 536 are nonseverable and if any of the powers vested with the  
41 general assembly pursuant to chapter 536 to review, to delay the effective date or to  
42 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
43 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid  
44 and void.

115.257. 1. In jurisdictions where electronic voting machines are used, the election  
2 authority shall cause the voting machines to be put in order, set, adjusted and made ready for  
3 voting before they are delivered to polling places.

4           2. At least five days before preparing electronic voting machines for any election,  
5 notice of the time and place of such preparation shall be mailed to each independent candidate  
6 and the chairman of the county committee of each established political party named on the  
7 ballot. The preparation shall be watched by two observers designated by the election  
8 authority, one from each major political party, and shall be open to representatives of the  
9 political parties, candidates, the news media and the public.

10           3. When an electronic voting machine has been examined by such observers and  
11 shown to be in good working order, the machine shall be locked against voting. The  
12 observers shall certify the vote count on each machine is set at zero.

13           4. After an electronic voting machine has been properly prepared and locked, its keys  
14 shall be retained by the election authority and delivered to the election judges along with the  
15 other election supplies.

16           5. For the purpose of processing absentee ballots, cast by voters in person in the office  
17 of the election authority **that is deemed designated as a polling place**, the election authority  
18 may cause voting machines, **if used**, to be put in order, set, adjusted, tested, and made ready  
19 for voting within one business day of the printing of absentee ballots as provided in section  
20 115.281. The election authority shall have the recording counter except for the protective  
21 counter on the voting machine set to zero (000). After the voting machines have been made  
22 ready for voting, the election authority shall not permit any person to handle any voting  
23 machine, except voters while they are voting and others expressly authorized by the election  
24 authority. The election authority shall neither be nor permit any other person to be in any  
25 position or near any position that enables the authority or person to see how any absentee  
26 voter votes or has voted.

27           6. Nothing in this section shall prohibit the on-site storage of electronic voting  
28 machines and the preparation of the electronic machines for voting, provided the electronic  
29 voting machines are put in order, set, adjusted and made ready for voting as provided in  
30 subsections 1, 2, 3, 4, and 5 of this section.

115.275. As used in sections 115.275 to 115.304, unless the context clearly indicates  
2 otherwise, the following terms shall mean:

3           (1) "Absentee ballot", any ~~[of the ballots]~~ **ballot** a person is authorized to cast away  
4 from a polling place, **in the office of the election authority, or another authorized location**  
5 **designated by the election authority** pursuant to the provisions of sections 115.275 to  
6 115.304;

7           (2) "Covered voter":

8           (a) A uniformed services voter who is registered to vote in this state;

9           (b) A uniformed services voter defined in this section whose voting residence is in  
10 this state and who otherwise satisfies this state's voter eligibility requirements;

- 11 (c) An overseas voter;
- 12 (d) Civilian employees of the United States government working outside the  
13 boundaries of the United States, and their spouses and dependents;
- 14 (e) Active members of religious or welfare organizations assisting servicemen, and  
15 their spouses and dependents; or
- 16 (f) Persons who have been honorably discharged from the Armed Forces or who have  
17 terminated their service or employment in any group mentioned in this section within sixty  
18 days of an election, and their spouses and dependents;
- 19 (3) "Interstate former resident", a former resident and registered voter in this state  
20 who moves from Missouri to another state after the deadline to register to vote in any  
21 presidential election in the new state and who otherwise possesses the qualifications to  
22 register and vote in such state;
- 23 ~~(4) ["Intrastate new resident", a registered voter of this state who moves from one  
24 election authority's jurisdiction in the state to another election authority's jurisdiction in the  
25 state after the last day authorized in this chapter to register to vote in an election and  
26 otherwise possesses the qualifications to vote;~~
- 27 ~~(5)~~ (5) "New resident", a person who moves to this state after the last date authorized in  
28 this chapter to register to vote in any presidential election;
- 29 ~~[(6)]~~ (5) "Overseas voter":
- 30 (a) A person who resides outside the United States and is qualified to vote in the last  
31 place in which the person was domiciled before leaving the United States; or
- 32 (b) A person who resides outside the United States and, but for such residence, would  
33 be qualified to vote in the last place in which the person was domiciled before leaving the  
34 United States;
- 35 ~~[(7)]~~ (6) "Uniformed services":
- 36 (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps,  
37 **Space Force**, or Coast Guard of the United States;
- 38 (b) The Merchant Marine, the commissioned corps of the Public Health Service, or  
39 the commissioned corps of the National Oceanic and Atmospheric Administration of the  
40 United States; or
- 41 (c) The Missouri National Guard;
- 42 ~~[(8)]~~ (7) "Uniformed services voter", an individual who is qualified to vote and is:
- 43 (a) A member of the active or reserve components of the Army, Navy, Air Force,  
44 Marine Corps, **Space Force**, or Coast Guard of the United States who is on active duty;
- 45 (b) A member of the Merchant Marine, the commissioned corps of the Public Health  
46 Service, or the commissioned corps of the National Oceanic and Atmospheric Administration  
47 of the United States;

- 48 (c) A member on activated status of the National Guard; or  
 49 (d) A spouse or dependent of a member referred to in this subdivision;  
 50 ~~[(9)]~~ (8) "United States", used in the territorial sense, the several states, the District of  
 51 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular  
 52 possession subject to the jurisdiction of the United States.

115.277. 1. **Any registered voter of this state may cast an absentee ballot in person at a location designated by the election authority for all candidates and issues for which such voter is eligible to vote at the polling place. Any registered voter casting a ballot under the provisions of this subsection shall provide a form of personal identification that is consistent with subsection 1 of section 115.427.**

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 6 2. Except as provided in subsections ~~[2,3,]~~ 4, ~~[and]~~ 5, 6, and 7 of this section, any  
 7 registered voter of this state may ~~[vote by]~~ cast an absentee ballot for all candidates and  
 8 issues for which such voter would be eligible to vote at the polling place if such voter expects  
 9 to be prevented from going to the polls to vote on election day ~~[due to:]~~. **Any absentee ballot that is not requested and completed in person at the office of the election authority with a form of personal identification that is consistent with subsection 1 of section 115.427 shall have the statement on the ballot envelope notarized as required under section 115.283, except that absentee ballots requested under subdivisions (2) and (5) of subsection 3 of this section shall not require notarization. This subsection shall apply only in the case of absentee ballots that are not cast in person.**

16 3. **A voter may request an absentee ballot for any of the following reasons:**

- 17 (1) Absence on election day from the jurisdiction of the election authority in which  
 18 such voter is registered to vote;  
 19 (2) Incapacity or confinement due to illness or physical disability **on election day**,  
 20 including a person who is primarily responsible for the physical care of a person who is  
 21 incapacitated or confined due to illness or disability **and resides at the same address**;  
 22 (3) Religious belief or practice;  
 23 (4) Employment as an election authority, as a member of an election authority, or by  
 24 an election authority at a location other than such voter's polling place;  
 25 (5) Incarceration, provided all qualifications for voting are retained;  
 26 (6) Certified participation in the address confidentiality program established under  
 27 sections 589.660 to 589.681 because of safety concerns; or  
 28 (7) ~~[For an election that occurs during the year 2020, the voter has contracted or is in an at risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2. This subdivision shall expire on December 31, 2020]~~ **Employment as a first responder, health care worker, or member of law enforcement.**  
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32           ~~[2-]~~ 4. Any covered voter who is eligible to register and vote in this state may vote in  
 33 any election for federal office, statewide office, state legislative office, or statewide ballot  
 34 initiatives by submitting a federal postcard application to apply to vote by absentee ballot or  
 35 by submitting a federal postcard application at the polling place even though the person is not  
 36 registered. A federal postcard application submitted by a covered voter pursuant to this  
 37 subsection shall also serve as a voter registration application under section 115.908 and the  
 38 election authority shall, if satisfied that the applicant is entitled to register, place the voter's  
 39 name on the voter registration file. Each covered voter may vote by absentee ballot or, upon  
 40 submitting an affidavit that the person is qualified to vote in the election, may vote at the  
 41 person's polling place.

42           ~~[3-]~~ 5. Any interstate former resident may vote by absentee ballot for presidential and  
 43 vice presidential electors.

44           ~~[4- Any intrastate new resident may vote by absentee ballot at the election for~~  
 45 ~~presidential and vice presidential electors, United States senator, representative in Congress,~~  
 46 ~~statewide elected officials and statewide questions, propositions and amendments from such~~  
 47 ~~resident's new jurisdiction of residence after registering to vote in such resident's new~~  
 48 ~~jurisdiction of residence.~~

49           ~~5-]~~ 6. Any new resident may vote by absentee ballot for presidential and vice  
 50 presidential electors after registering to vote in such resident's new jurisdiction of residence.

51           ~~[6- For purposes of this section, the voters who are in an at risk category for~~  
 52 ~~contracting or transmitting severe acute respiratory syndrome coronavirus 2 are voters who:~~

- 53           ~~(1) Are sixty-five years of age or older;~~
- 54           ~~(2) Live in a long-term care facility licensed under chapter 198;~~
- 55           ~~(3) Have chronic lung disease or moderate to severe asthma;~~
- 56           ~~(4) Have serious heart conditions;~~
- 57           ~~(5) Are immunocompromised;~~
- 58           ~~(6) Have diabetes;~~
- 59           ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~
- 60           ~~(8) Have liver disease.]~~

61           **7. The provisions of this section authorizing the casting of absentee ballots and**  
 62 **requiring the use of a personal form of identification under subsection 1 of section**  
 63 **115.427 are essentially connected, and if any of the personal form of identification**  
 64 **requirements in this section or subsection 1 of section 115.427 are held unconstitutional**  
 65 **or otherwise made ineffective, subsection 1 of this section and all other general law or**  
 66 **rules enabling the casting of absentee ballots shall be null and void.**

115.279. 1. Application for an absentee ballot may be made by the applicant in  
 2 person, or by mail, or for the applicant, in person, by his or her guardian or a relative within

3 the second degree by consanguinity or affinity. The election authority shall accept  
4 applications by facsimile transmission and by electronic mail within the limits of its  
5 telecommunications capacity.

6       2. **No individual, group, or party shall solicit a voter into obtaining an absentee**  
7 **ballot application. Absentee ballot applications shall not have the information pre-filled**  
8 **prior to it being provided to a voter.**

9       3. Each application shall be made to the election authority of the jurisdiction in which  
10 the person is or would be registered. Each application shall be in writing and shall state the  
11 applicant's name, address at which he or she is or would be registered, his or her reason for  
12 voting an absentee ballot, **if casting an absentee ballot under subsection 2 of section**  
13 **115.277**, the address to which the ballot is to be mailed, if mailing is requested, and for absent  
14 uniformed services and overseas applicants, the applicant's email address if electronic  
15 transmission is requested. If the reason for the applicant voting absentee is due to the reasons  
16 established under subdivision (6) of subsection ~~+~~ 3 of section 115.277, the applicant shall  
17 state the voter's identification information provided by the address confidentiality program in  
18 lieu of the applicant's name, address at which he or she is or would be registered, and address  
19 to which the ballot is to be mailed, if mailing is requested. Each application to vote in a  
20 primary election shall also state which ballot the applicant wishes to receive. If any  
21 application fails to designate a ballot, the election authority shall, within three working days  
22 after receiving the application, notify the applicant by mail that it will be unable to deliver an  
23 absentee ballot until the applicant designates which political party ballot he or she wishes to  
24 receive. If the applicant does not respond to the request for political party designation, the  
25 election authority is authorized to provide the voter with that part of the ballot for which no  
26 political party designation is required.

27       ~~[3. Except as provided in subsection 3 of section 115.281,]~~ 4. All applications for  
28 absentee ballots received prior to the sixth Tuesday before an election shall be stored at the  
29 office of the election authority until such time as the applications are processed in accordance  
30 with section 115.281. No application for an absentee ballot received in the office of the  
31 election authority by mail, by facsimile transmission, by electronic mail, or by a guardian or  
32 relative after 5:00 p.m. on the second Wednesday immediately prior to the election shall be  
33 accepted by any election authority. No application for an absentee ballot submitted by the  
34 applicant in person after 5:00 p.m. on the day before the election shall be accepted by any  
35 election authority, except as provided in subsections ~~[6, 8 and]~~ 7, 8, and 9 of this section.

36       ~~[4.]~~ 5. Each application for an absentee ballot shall be signed by the applicant or, if  
37 the application is made by a guardian or relative pursuant to this section, the application shall  
38 be signed by the guardian or relative, who shall note on the application his or her relationship  
39 to the applicant. If an applicant, guardian or relative is blind, unable to read or write the

40 English language or physically incapable of signing the application, he or she shall sign by  
41 mark, witnessed by the signature of an election official or person of his or her own choosing.  
42 Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application  
43 shall be guilty of a class one election offense.

44 ~~[5-]~~ 6. (1) Notwithstanding any law to the contrary, any resident of the state of  
45 Missouri who resides outside the boundaries of the United States or who is on active duty  
46 with the Armed Forces of the United States or members of their immediate family living with  
47 them may request an absentee ballot for both the primary and subsequent general election  
48 with one application.

49 (2) The election authority shall provide each absent uniformed services voter and  
50 each overseas voter who submits a voter registration application or an absentee ballot request,  
51 if the election authority rejects the application or request, with the reasons for the rejection.

52 (3) Notwithstanding any other law to the contrary, if a standard oath regarding  
53 material misstatements of fact is adopted for uniformed and overseas voters pursuant to the  
54 Help America Vote Act of 2002, the election authority shall accept such oath for voter  
55 registration, absentee ballot, or other election-related materials.

56 (4) Not later than sixty days after the date of each regularly scheduled general  
57 election for federal office, each election authority which administered the election shall  
58 submit to the secretary of state in a format prescribed by the secretary a report on the  
59 combined number of absentee ballots transmitted to, and returned by, absent uniformed  
60 services voters and overseas voters for the election. The secretary shall submit to the Election  
61 Assistance Commission a combined report of such information not later than ninety days after  
62 the date of each regularly scheduled general election for federal office and in a standardized  
63 format developed by the commission pursuant to the Help America Vote Act of 2002. The  
64 secretary shall make the report available to the general public.

65 (5) As used in this section, the terms "absent uniformed services voter" and "overseas  
66 voter" shall have the meaning prescribed in 52 U.S.C. Section 20310.

67 ~~[6-]~~ 7. An application for an absentee ballot by a new resident shall be submitted in  
68 person by the applicant in the office of the election authority in the election jurisdiction in  
69 which such applicant resides. The application shall be received by the election authority no  
70 later than 7:00 p.m. on the day of the election. Such application shall be in the form of an  
71 affidavit, executed in duplicate in the presence of the election authority or any authorized  
72 officer of the election authority, and in substantially the following form:

73 "STATE OF \_\_\_\_\_  
74 COUNTY OF \_\_\_\_\_, ss.  
75 I, \_\_\_\_\_, do solemnly swear that:

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(1) Before becoming a resident of this state, I resided at \_\_\_\_\_  
 (residence address) in \_\_\_\_\_ (town, township, village or city) of  
 \_\_\_\_\_ County in the state of \_\_\_\_\_;

(2) I moved to this state after the last day to register to vote in such  
 general presidential election and I am now residing in the county  
 of \_\_\_\_\_, state of Missouri;

(3) I believe I am entitled pursuant to the laws of this state to vote in  
 the presidential election to be held November \_\_\_\_\_, \_\_\_\_\_  
 (year);

(4) I hereby make application for a presidential and vice presidential  
 ballot. I have not voted and shall not vote other than by this ballot  
 at such election.

Signed \_\_\_\_\_  
 (Applicant)

\_\_\_\_\_  
 (Residence Address)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
 Signed \_\_\_\_\_  
 (Title and name of officer authorized to administer oaths)"

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[7-] 8. The election authority in whose office an application is filed pursuant to subsection 6 of this section shall immediately send a duplicate of such application to the appropriate official of the state in which the new resident applicant last resided and shall file the original of such application in its office.

~~[8. An application for an absentee ballot by an intrastate new resident shall be made in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or an authorized officer of the election authority, and in substantially the following form:]~~

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~~["STATE OF \_\_\_\_\_]  
 [COUNTY OF \_\_\_\_\_, ss.]  
 [I, \_\_\_\_\_, do solemnly swear that:]  
 [(1) [Before becoming a resident of this election jurisdiction, I  
 resided at \_\_\_\_\_ (residence address) in \_\_\_\_\_ (town,~~

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<p>township, village or city) of _____ county in the state of _____;</p> <p><del>[(2)] [I moved to this election jurisdiction after the last day to register to vote in such election;]</del></p> <p><del>[(3)] [I believe I am entitled pursuant to the laws of this state to vote in the election to be held _____ (date);]</del></p> <p><del>[(4)] [I hereby make application for an absentee ballot for candidates and issues on which I am entitled to vote pursuant to the laws of this state. I have not voted and shall not vote other than by this ballot at such election.]</del></p> <p><del>[Signed _____]</del></p> <p><del>[(Applicant)]</del></p> <p><del>[_____]</del></p> <p><del>[(Residence Address)]</del></p> <p><del>[Subscribed and sworn to before me this _____ day of _____, _____]</del></p> <p><del>-]</del></p> <p><del>[Signed _____]</del></p> <p><del>[(Title and name of officer authorized to administer oaths)]</del></p>
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129 9. An application for an absentee ballot by an interstate former resident shall be  
130 received in the office of the election authority where the applicant was formerly registered by  
131 5:00 p.m. on the second Wednesday immediately prior to the election, unless the application  
132 is made in person by the applicant in the office of the election authority, in which case such  
133 application shall be made no later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state  
2 the voter's name, the voter's voting address, the voter's mailing address **if casting an absentee**  
3 **ballot under subsection 3 of section 115.277**, and the voter's reason for voting an absentee  
4 ballot. If the reason for the voter voting absentee is due to the reasons established under  
5 subdivision (6) of subsection [±] 2 of section 115.277, the voter shall state the voter's  
6 identification information provided by the address confidentiality program in lieu of the  
7 applicant's name, voting address, and mailing address. On the form, the voter shall also state  
8 under penalties of perjury that the voter is qualified to vote in the election, that the voter has  
9 not previously voted and will not vote again in the election, that the voter has personally  
10 marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is  
11 unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter  
12 or under the voter's supervision if the voter is unable to seal it, and that all information  
13 contained in the statement is true. In addition, any person providing assistance to the absentee

14 voter shall include a statement on the envelope identifying the person providing assistance  
15 under penalties of perjury. Persons authorized to vote only for federal and statewide officers  
16 shall also state their former Missouri residence.

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

19	State of Missouri
20	County (City) of _____
21	I, _____ (print name), a registered voter of _____ County (City of
22	St. Louis, Kansas City), declare under the penalties of perjury that I
23	<b>am voting in person at a location designated by the local election</b>
24	<b>authority or I</b> expect to be prevented from going to the polls on
25	election day due to (check one):
26	_____ absence on election day from the jurisdiction of the election
27	authority in which I am registered;
28	_____ incapacity or confinement due to illness or physical disability
29	<b>on election day</b> , including caring for a person who is
30	incapacitated or confined due to illness or disability <b>and</b>
31	<b>resides at the same address;</b>
32	_____ religious belief or practice;
33	_____ employment as an election authority or by an election
34	authority at a location other than my polling place;
35	_____ incarceration, although I have retained all the necessary
36	qualifications for voting;
37	_____ certified participation in the address confidentiality program
38	established under sections 589.660 to 589.681 because of
39	safety concerns.
40	I hereby state under penalties of perjury that I am qualified to vote at
41	this election; I have not voted and will not vote other than by this
42	ballot at this election. I further state that I marked the enclosed ballot
43	in secret or that I am blind, unable to read or write English, or
44	physically incapable of marking the ballot, and the person of my
45	choosing indicated below marked the ballot at my direction; all of the
46	information on this statement is, to the best of my knowledge and
47	belief, true.
48	_____
49	_____
50	Signature of Voter <span style="float: right;">Signature of Person</span>

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	Assisting Voter (if applicable)
Signed _____	Subscribed and sworn
Signed _____	to before me this
	_____ day of _____
Address of Voter	_____, _____
_____	_____
_____	_____
Mailing addresses (if different)	Signature of notary or other officer authorized to administer oaths

3. The statement for persons voting absentee ballots pursuant to the provisions of subsection 2, 3, 4, or 5 of section 115.277 without being registered shall be in substantially the following form:

State of Missouri  
County (City) of \_\_\_\_\_  
I, \_\_\_\_\_ (print name), declare under the penalties of perjury that I am a citizen of the United States and eighteen years of age or older. I am not adjudged incapacitated by any court of law, and if I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I hereby state under penalties of perjury that I am qualified to vote at this election.  
I am ~~[(check one):]~~  
 ~~[a resident of the state of Missouri and a registered voter in \_\_\_\_\_ County and moved from that county to \_\_\_\_\_ County, Missouri, after the last day to register to vote in this election.]~~  
 an interstate former resident of Missouri and authorized to vote for presidential and vice presidential electors.  
I further state under penalties of perjury that I have not voted and will not vote other than by this ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read or write English, or

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physically incapable of marking the ballot, and the person of my	
choosing indicated below marked the ballot at my direction; all of the	
information on this statement is, to the best of my knowledge and	
belief, true.	
_____	Subscribed to and
Signature of Voter	sworn before me this
	_____ day of
	_____, _____
_____	_____
_____	—
Address of Voter	Signature of notary or
	other officer
	authorized to
	administer oaths
	_____
	—
	_____
Mailing Address (if different)	—
	_____
	—
	_____
_____	—
Signature of Person	Address of Last
Assisting Voter	Missouri Residence
	(if applicable)

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

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State of Missouri
County (City) of _____
I, _____ (print name), declare under the penalties of perjury that I
expect to be prevented from going to the polls on election day due to
(check one):
_____ absence on election day from the jurisdiction of the election
authority in which I am directed to vote;

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_____	incapacity or confinement due to illness or physical disability <b>on election day</b> , including caring for a person who is incapacitated or confined due to illness or disability <b>and</b> <b>resides at the same address;</b>
_____	religious belief or practice;
_____	employment as an election authority or by an election authority at a location other than my polling place;
_____	incarceration, although I have retained all the necessary qualifications of voting;
_____	certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.
I hereby state under penalties of perjury that I own property in the _____ _____ district and am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read and write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.	
_____	Subscribed and sworn
Signature of Voter	to before me this
	_____ day of
	_____, _____
_____	_____
Address	Signature of notary or
	other officer
	authorized to
	administer oaths
_____	
Signature of Person	
Assisting Voter	
(if applicable)	

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

159 The voter needed assistance in marking the ballot and signing above,  
 160 because of blindness, other physical disability, or inability to read or to  
 161 read English. I marked the ballot enclosed in this envelope at the  
 162 voter's direction, when I was alone with the voter, and I had no other  
 163 communication with the voter as to how he or she was to vote. The  
 164 voter swore or affirmed the voter affidavit above and I then signed the  
 165 voter's name and completed the other voter information above. Signed  
 166 under the penalties of perjury.  
 167 Reason why voter needed assistance: \_\_\_\_\_  
 168 ASSISTING PERSON SIGN HERE  
 169 1. \_\_\_\_\_ (signature of assisting person)  
 170 2. \_\_\_\_\_ (assisting person's name printed)  
 171 3. \_\_\_\_\_ (assisting person's residence)  
 172 4. \_\_\_\_\_ (assisting person's home city or town).

173 ~~[6. The election authority shall, for an election held during 2020, adjust the forms~~  
 174 ~~described in this section to account for voters voting absentee due to the reason established~~  
 175 ~~pursuant to subdivision (7) of subsection 1 of section 115.277.~~

176 ~~7.]~~ 6. Notwithstanding any other provision of this section, any covered voter as  
 177 defined in section 115.902 or persons who have declared themselves to be permanently  
 178 disabled pursuant to section 115.284, otherwise entitled to vote, shall not be required to obtain  
 179 a notary seal or signature on his or her absentee ballot.

180 ~~[8.]~~ 7. Notwithstanding any other provision of this section or section 115.291 to the  
 181 contrary, the subscription, signature and seal of a notary or other officer authorized to  
 182 administer oaths shall not be required on any ballot, ballot envelope, or statement required by  
 183 this section if the reason for the voter voting absentee is due to the reasons established  
 184 pursuant to subdivision (2) or (7) of subsection ~~[H]~~ 2 of section 115.277.

185 ~~[9.]~~ 8. No notary shall charge or collect a fee for notarizing the signature on any  
 186 absentee ballot or absentee voter registration.

187 ~~[10.]~~ 9. A notary public who charges more than the maximum fee specified or who  
 188 charges or collects a fee for notarizing the signature on any absentee ballot or absentee voter  
 189 registration is guilty of official misconduct.

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

6 and postage-free mail for all ballots cast shall be paid by the secretary of state through state  
7 appropriations. [~~Notwithstanding any provision of law to the contrary, a ballot envelope used~~  
8 ~~under section 115.302 shall be the same ballot envelope used for absentee ballots, provided an~~  
9 ~~option shall be listed on the envelope to clearly indicate whether the voter is casting an~~  
10 ~~absentee ballot or a mail-in ballot.~~]

**115.286. Absentee ballots under sections 115.275 to 115.304 received by the**  
2 **election authority in person or other authorized location designated by the election**  
3 **authority are deemed cast when received prior to election day. Absentee ballots**  
4 **received by the election authority through a common carrier such as the United States**  
5 **Postal Service are deemed cast when received prior to the time fixed by law for the**  
6 **closing of the polls on election day. Absentee ballots received by the election authority**  
7 **through a common carrier such as the United States Postal Service shall be received**  
8 **prior to the time fixed by law for the closing of polls on election day.**

115.287. 1. Upon receipt of a signed application for an absentee ballot and if satisfied  
2 the applicant is entitled to vote by absentee ballot, the election authority shall, within three  
3 working days after receiving the application, or if absentee ballots are not available at the  
4 time the application is received, within five working days after they become available, deliver  
5 to the voter an absentee ballot, ballot envelope and such instructions as are necessary for the  
6 applicant to vote. Delivery shall be made to the voter personally in the office of the election  
7 authority or by bipartisan teams appointed by the election authority, or by first class,  
8 registered, or certified mail at the discretion of the election authority, or in the case of a  
9 covered voter as defined in section 115.902, the method of transmission prescribed in section  
10 115.914. Where the election authority is a county clerk, the members of bipartisan teams  
11 representing the political party other than that of county clerk shall be selected from a list of  
12 persons submitted to the county clerk by the county chairman of that party. If no list is  
13 provided by the time that absentee ballots are to be made available, the county clerk may  
14 select a person or persons from lists provided in accordance with section 115.087. If the  
15 election authority is not satisfied that any applicant is entitled to vote by absentee ballot, it  
16 shall not deliver an absentee ballot to the applicant. Within three working days of receiving  
17 such an application, the election authority shall notify the applicant and state the reason he or  
18 she is not entitled to vote by absentee ballot. The applicant may file a complaint with the  
19 elections division of the secretary of state's office under and pursuant to section 115.219.

20 2. If, after 5:00 p.m. on the second Wednesday before an election, any voter from the  
21 jurisdiction has become hospitalized, becomes confined due to illness or injury, or is confined  
22 in an intermediate care facility, residential care facility, or skilled nursing facility **on election**  
23 **day**, as such terms are defined in section 198.006, in the county in which the jurisdiction is  
24 located or in the jurisdiction of an adjacent election authority within the same county, the

25 election authority shall appoint a team to deliver, witness the signing of and return the voter's  
26 application and deliver, witness the voting of and return the voter's absentee ballot. [~~In~~  
27 ~~counties with a charter form of government and in cities not within a county, and in each city~~  
28 ~~which has over three hundred thousand inhabitants, and is situated in more than one county,]~~  
29 If the election authority receives ten or more applications for absentee ballots from the same  
30 address it ~~may~~ **shall** appoint a team to deliver and witness the voting and return of absentee  
31 ballots by voters residing at that address, except when such addresses are for an apartment  
32 building or other structure wherein individual living units are located, each of which has its  
33 own separate cooking facilities. Each team appointed pursuant to this subsection shall consist  
34 of two registered voters, one from each major political party. Both members of any team  
35 appointed pursuant to this subsection shall be present during the delivery, signing or voting  
36 and return of any application or absentee ballot signed or voted pursuant to this subsection.

37 3. On the mailing and ballot envelopes for each covered voter, the election authority  
38 shall stamp prominently in black the words "FEDERAL BALLOT, STATE OF MISSOURI"  
39 and "U.S. Postage Paid, 39 U.S.C. Section 3406".

40 4. No information which encourages a vote for or against a candidate or issue shall be  
41 provided to any voter with an absentee ballot.

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

19 (1) ~~Sixty five years of age or older;~~

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

- 21       ~~(3) Have chronic lung disease or moderate to severe asthma;~~  
22       ~~(4) Have serious heart conditions;~~  
23       ~~(5) Are immunocompromised;~~  
24       ~~(6) Have diabetes;~~  
25       ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~  
26       ~~(8) Have liver disease.]~~

27       2. Except as provided in subsection 4 of this section, each absentee ballot that is not  
28 cast by the voter in person in the office of the election authority shall be returned to the  
29 election authority in the ballot envelope and shall only be returned by the voter in person, or  
30 in person by a relative of the voter who is within the second degree of consanguinity or  
31 affinity, by mail or registered carrier or by a team of deputy election authorities; except that  
32 covered voters, when sent from a location determined by the secretary of state to be  
33 inaccessible on election day, shall be allowed to return their absentee ballots cast by use of  
34 facsimile transmission or under a program approved by the Department of Defense for  
35 electronic transmission of election materials.

36       3. In cases of an emergency declared by the President of the United States or the  
37 governor of this state where the conduct of an election may be affected, the secretary of state  
38 may provide for the delivery and return of absentee ballots by use of a facsimile transmission  
39 device or system. Any rule promulgated pursuant to this subsection shall apply to a class or  
40 classes of voters as provided for by the secretary of state.

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

115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 ~~or sections~~  
2 ~~115.755 to 115.785~~], no candidate's name shall be printed on any official primary ballot  
3 unless the candidate has filed a written declaration of candidacy in the office of the  
4 appropriate election official by 5:00 p.m. on the last Tuesday in March immediately preceding  
5 the primary election.

6       2. No declaration of candidacy for nomination in a primary election shall be accepted  
7 for filing prior to 8:00 a.m. on the last Tuesday in February immediately preceding the  
8 primary election.

9       3. Each declaration of candidacy for nomination in a primary election shall state the  
10 candidate's full name, residence address, office for which such candidate proposes to be a  
11 candidate, the party ticket on which he or she wishes to be a candidate and that if nominated  
12 and elected he or she will qualify. The declaration shall be in substantially the following  
13 form:

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I, _____, a resident and registered voter of the county of _____ and	
the state of Missouri, residing at _____, do announce myself a	
candidate for the office of _____ on the _____ party ticket, to be	
voted for at the primary election to be held on the _____ day of _____,	
_____, _____, and I further declare that if nominated and elected to such	
office I will qualify.	
_____	Subscribed and sworn
Signature of candidate	to before me this
	_____ day of
	_____, _____
_____	_____
Residence address	Signature of election
	official or other officer
	authorized to
	administer oaths
_____	
Mailing address (if different)	
_____	
Telephone Number (Optional)	

34 If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate  
35 before an official authorized to accept his or her declaration of candidacy. If the declaration is  
36 to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it  
37 shall be subscribed and sworn to by the candidate before a notary public or other officer  
38 authorized by law to administer oaths.

115.417. 1. Before the time fixed by law for the opening of the polls, the election  
2 authority shall deliver to each polling place a sufficient number of voter instruction cards  
3 which include the following information: ~~[if paper ballots or an electronic voting system is~~  
4 ~~used, the instructions shall inform the voter on]~~ how to obtain a ballot for voting, how to vote  
5 and prepare the ballot for deposit in the ballot box, and how to obtain a new ballot to replace  
6 one accidentally spoiled.

7 2. The election authority at each polling place shall post in a conspicuous place voting  
8 instructions on a poster no smaller than twenty-four inches by thirty inches. Such instructions  
9 shall also inform the voter that the electronic voting equipment can be demonstrated upon  
10 request of the voter. The election authority shall also publicly post during the period of time  
11 in which a person may cast an absentee ballot and on election day a sample version of the

12 ballot that will be used for that election, the date of the election, the hours during which the  
13 polling place will be open, instructions for mail-in registrants and first-time voters, general  
14 information on voting rights in accordance with the state plan filed by the secretary of state  
15 pursuant to the Help America Vote Act of 2002, general information on the right to cast a  
16 provisional ballot and instructions for provisional ballots, how to contact appropriate  
17 authorities if voting rights have been violated, and general information on federal and  
18 Missouri law regarding prohibitions on acts of fraud and misrepresentation. The secretary of  
19 state may promulgate rules to execute this section. No rule or portion of a rule promulgated  
20 pursuant to the authority of this section shall become effective unless it has been promulgated  
21 pursuant to chapter 536.

22 3. The secretary of state may develop multilingual voting instructions to be made  
23 available to election authorities.

115.427. 1. Persons seeking to vote in a public election shall establish their identity  
2 and eligibility to vote at the polling place **or, if voting absentee in person under section**  
3 **115.277, at the office of the election authority or other authorized location designated by**  
4 **the election authority** by presenting a form of personal **photo** identification to election  
5 officials. No form of personal identification other than the forms listed in this section shall be  
6 accepted to establish a voter's qualifications to vote. Forms of personal identification that  
7 satisfy the requirements of this section are any one of the following:

- 8 (1) Nonexpired Missouri driver's license;
- 9 (2) Nonexpired or nonexpiring Missouri nondriver's license;
- 10 (3) A document that satisfies all of the following requirements:
  - 11 (a) The document contains the name of the individual to whom the document was  
12 issued, and the name substantially conforms to the most recent signature in the individual's  
13 voter registration record;
  - 14 (b) The document shows a photograph of the individual;
  - 15 (c) The document includes an expiration date, and the document is not expired, or, if  
16 expired, the document expired after the date of the most recent general election; and
  - 17 (d) The document was issued by the United States or the state of Missouri; or
- 18 (4) Any identification containing a photograph of the individual which is issued by  
19 the Missouri National Guard, the United States Armed Forces, or the United States  
20 Department of Veteran Affairs to a member or former member of the Missouri National  
21 Guard or the United States Armed Forces and that is not expired or does not have an  
22 expiration date.

23 2. (1) An individual who appears at a polling place without a form of personal  
24 identification described in subsection 1 of this section and who is otherwise qualified to vote  
25 at that polling place ~~[may execute a statement, under penalty of perjury, averring that the~~

26 individual is the person listed in the precinct register; averring that the individual does not  
 27 possess a form of personal identification described in subsection 1 of this section;  
 28 acknowledging that the individual is eligible to receive a Missouri nondriver's license free of  
 29 charge if desiring it in order to vote; and acknowledging that the individual is required to  
 30 present a form of personal identification, as described in subsection 1 of this section, in order  
 31 to vote. Such statement shall be executed and sworn to before the election official receiving  
 32 the statement. Upon executing such statement, the individual may cast a regular ballot,  
 33 provided such individual presents one of the following forms of identification:

34 (a) Identification issued by the state of Missouri, an agency of the state, or a local  
 35 election authority of the state;

36 (b) Identification issued by the United States government or agency thereof;

37 (c) Identification issued by an institution of higher education, including a university,  
 38 college, vocational and technical school, located within the state of Missouri;

39 (d) A copy of a current utility bill, bank statement, government check, paycheck, or  
 40 other government document that contains the name and address of the individual;

41 (e) Other identification approved by the secretary of state under rules promulgated  
 42 pursuant to this section.

43 (2) For any individual who appears at a polling place without a form of personal  
 44 identification described in subsection 1 of this section and who is otherwise qualified to vote  
 45 at that polling place, the election authority may take a picture of such individual and keep it as  
 46 part of that individual's voter registration file at the election authority.

47 (3) Any individual who chooses not to execute the statement described in subdivision  
 48 (1) of this subsection may cast a provisional ballot. Such provisional ballot shall be counted,  
 49 provided that it meets the requirements of subsection 4 of this section.

50 (4) For the purposes of this section, the term "election official" shall include any  
 51 person working under the authority of the election authority.

52 3. The statement to be used for voting under subdivision (1) of subsection 2 of this  
 53 section shall be substantially in the following form:}]

54 ["State of \_\_\_\_\_]  
 55 [County of \_\_\_\_\_]  
 56 [I do solemnly swear (or affirm) that my name is \_\_\_\_\_; that I reside  
 57 at \_\_\_\_\_; that I am the person listed in the precinct register under this  
 58 name and at this address; and that, under penalty of perjury, I do not  
 59 possess a form of personal identification approved for voting. As a  
 60 person who does not possess a form of personal identification  
 61 approved for voting, I acknowledge that I am eligible to receive free of  
 62 charge a Missouri nondriver's license at any fee office if desiring it in

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<p><del>order to vote. I furthermore acknowledge that I am required to present a form of personal identification, as prescribed by law, in order to vote.]</del></p> <p><del>[I understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.]</del></p> <p><del>[_____]</del></p> <p><del>[Signature of voter]</del></p> <p><del>[Subscribed and affirmed before me this _____ day of _____, 20____]</del></p> <p><del>[_____]</del></p> <p><del>[Signature of election official"]</del></p>
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~~[4. A voter]~~ shall be allowed to cast a provisional ballot ~~[under section 115.430 even if the election judges cannot establish the voter's identity under this section]~~. The election judges shall make a notation on the provisional ballot envelope to indicate that the voter's identity was not verified.

**(2) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope. All provisional ballots shall be marked with a conspicuous stamp or mark that makes them distinguishable from other ballots.**

**(3) The provisional ballot envelope shall be completed by the voter for use in determining the voter's eligibility to cast a ballot.**

**3. The provisional ballot envelope shall provide a place for the voter's name, address, date of birth, and last four digits of his or her Social Security number, followed by a certificate in substantially the following form:**

<p><b>I do solemnly swear that I am the person identified above and the information provided is correct. I understand that my vote will not be counted unless:</b></p> <p><b>(1) I return to this polling place today between 6:00 a.m. and 7:00 p.m. and provide one of the following forms of identification:</b></p> <p><b>(a) Nonexpired Missouri driver's license;</b></p> <p><b>(b) Nonexpired or nonexpiring Missouri nondriver's license;</b></p> <p><b>(c) A document that satisfies all of the following requirements:</b></p>
--

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**(i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;**

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**(ii) The document contains my photograph;**

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**(iii) The document contains an expiration date and is not expired, or if expired, the document expired after the date of the most recent general election; and**

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**(iv) The document was issued by the United States or the state of Missouri; or**

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105

**(d) Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, including Space Force, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces that is not expired or does not have an expiration date;**

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**(2) The election authority verifies my identity by comparing my signature on this envelope to the signature on file with the election authority and determines that I was eligible to cast a ballot at this polling place; and**

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114

115

**(3) This provisional ballot otherwise qualifies to be counted under the laws of the state of Missouri.**

116

117

\_\_\_\_\_

118

**Signature of Voter**

**Date**

119

\_\_\_\_\_

120

**Signatures of Election Officials**

121

**122 Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and  
123 placed in a separate secured container by the election judge.**

124

**4.** The provisional ballot cast by such voter shall not be counted unless:

125 (1) (a) The voter returns to the polling place during the uniform polling hours  
126 established by section 115.407 and provides a form of personal identification that allows the  
127 election judges to verify the voter's identity as provided in subsection 1 of this section; or

128 (b) The election authority verifies the identity of the individual by comparing that  
129 individual's signature to the signature on file with the election authority and determines that  
130 the individual was eligible to cast a ballot at the polling place where the ballot was cast; and

131 (2) The provisional ballot otherwise qualifies to be counted under section 115.430.

132 5. ~~The secretary of state shall provide advance notice of the personal identification~~  
133 ~~requirements of subsection 1 of this section in a manner calculated to inform the public~~  
134 ~~generally of the requirement for forms of personal identification as provided in this section.~~  
135 ~~Such advance notice shall include, at a minimum, the use of advertisements and public~~  
136 ~~service announcements in print, broadcast television, radio, and cable television media, as~~  
137 ~~well as the posting of information on the opening pages of the official state internet websites~~  
138 ~~of the secretary of state and governor.~~

139 6.] (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the  
140 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any  
141 otherwise qualified voter who does not already possess such identification and who desires  
142 the identification ~~[in order to vote]~~ **for voting**.

143 (2) This state and its agencies shall provide one copy of each of the following, free of  
144 charge, if needed by an individual seeking to obtain a form of personal identification  
145 described in subsection 1 of this section ~~[in order to vote]~~ **for voting**:

146 (a) A birth certificate;

147 (b) A marriage license or certificate;

148 (c) A divorce decree;

149 (d) A certificate of decree of adoption;

150 (e) A court order changing the person's name;

151 (f) A Social Security card reflecting an updated name; and

152 (g) Naturalization papers or other documents from the United States Department of  
153 State proving citizenship.

154

155 Any individual seeking one of the above documents in order to obtain a form of personal  
156 identification described in subsection 1 of this section ~~[in order to vote]~~ **for voting** may  
157 request the secretary of state to facilitate the acquisition of such documents. The secretary of  
158 state shall pay any fee or fees charged by another state or its agencies, or any court of  
159 competent jurisdiction in this state or any other state, or the federal government or its  
160 agencies, in order to obtain any of the above documents from such state or the federal  
161 government.

162 (3) ~~[All costs associated with the implementation of this section shall be reimbursed~~  
163 ~~from the general revenue of this state by an appropriation for that purpose. If there is not a~~  
164 ~~sufficient appropriation of state funds, then the personal identification requirements of~~  
165 ~~subsection 1 of this section shall not be enforced.~~

166 (4) Any applicant who requests a nondriver's license for ~~[the purpose of]~~ voting shall  
167 not be required to pay a fee ~~[if the applicant executes a statement, under penalty of perjury,~~  
168 ~~averring that the applicant does not have any other form of personal identification that meets~~  
169 ~~the requirements of this section].~~ The state of Missouri shall pay the legally required fees for  
170 any such applicant. ~~[The director of the department of revenue shall design a statement to be~~  
171 ~~used for this purpose. The total cost associated with nondriver's license photo identification~~  
172 ~~under this subsection shall be borne by the state of Missouri from funds appropriated to the~~  
173 ~~department of revenue for that specific purpose.]~~ The department of revenue and a local  
174 election authority may enter into a contract that allows the local election authority to assist the  
175 department in issuing nondriver's license photo identifications.

176 [7.] 6. The director of the department of revenue shall, by January first of each year,  
177 prepare and deliver to each member of the general assembly a report documenting the number  
178 of individuals who have requested and received a nondriver's license photo identification for  
179 the purposes of voting under this section. The report shall also include the number of persons  
180 requesting a nondriver's license for purposes of voting under this section, but not receiving  
181 such license, and the reason for the denial of the nondriver's license.

182 [8.] 7. The precinct register shall serve as the voter identification certificate. The  
183 following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE
Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote.
PRECINCT
WARD OR TOWNSHIP _____
GENERAL (SPECIAL, PRIMARY) ELECTION
Held _____, 20_____
Date
I hereby certify that I am qualified to vote at this election by signing my name and verifying my address by signing my initials next to my address.

195 [9.] 8. The secretary of state shall promulgate rules to effectuate the provisions of this  
196 section.

197 [10.] 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
198 created under the authority delegated in this section shall become effective only if it complies

199 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
200 This section and chapter 536 are nonseverable and if any of the powers vested with the  
201 general assembly pursuant to chapter 536 to review, to delay the effective date or to  
202 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
203 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid  
204 and void.

205 ~~[11.]~~ **10.** If any voter is unable to sign his name at the appropriate place on the  
206 certificate or computer printout, an election judge shall print the name and address of the  
207 voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of  
208 signature, and the voter's mark shall be witnessed by the signature of an election judge.

209 ~~[12. This section shall become effective only upon the passage and approval by the~~  
210 ~~voters of a constitutional amendment submitted to them by the general assembly regarding~~  
211 ~~the authorization of photo identification requirements for elections by general law. If such~~  
212 ~~constitutional amendment is approved by the voters, this section shall become effective June~~  
213 ~~1, 2017.]~~

115.435. After initialing the voter's identification certificate and after completing any  
2 procedures required by section 115.433, the election judges shall allow the voter to proceed to  
3 the voting booth and vote. **Once the ballot has been completed by the voter and he or she**  
4 **successfully submits the ballot, the ballot is deemed cast.**

115.447. 1. As used in this subchapter, unless the context clearly implies otherwise,  
2 the following terms shall mean:

3 (1) "Counting judges" are the two judges, one from each major political party, who  
4 read each vote received by all candidates and each vote for and against all questions at a  
5 polling place;

6 (2) "Receiving judges" are the two judges, one from each major political party, who  
7 initial each voter's ballot at a polling place;

8 (3) "Recording judges" are the two judges, one from each major political party, who  
9 tally the votes received by each candidate and for and against each question at a polling place.

10 These terms describe functions rather than individuals, and any election judge may perform  
11 more than one function at a polling place on election day.

12 2. As used in this subchapter, unless the context clearly implies otherwise, the  
13 following terms shall mean:

14 (1) "Defective ballot" is any ballot ~~[card]~~ on which the number of write-in votes and  
15 votes cast on the ballot ~~[card]~~ for any office exceed the number allowed by law, and any ballot  
16 ~~[card]~~ which is bent or damaged so that it cannot be properly counted by automatic tabulating  
17 equipment;

18 (2) "Rejected ballot" is any ballot on which no votes are counted because the ballot  
 19 fails to have the initials of the proper election judges, because the number of votes for all  
 20 offices and on all questions exceeds the number authorized by law, because the voter is  
 21 deemed by the election judges to be unqualified, because it is an absentee ballot not  
 22 accompanied by a completed and signed affidavit, or because the ballot was voted with  
 23 unlawful assistance;

24 (3) "Spoiled ballot" is any ballot accidentally spoiled by a voter and replaced by  
 25 election judges in the manner provided in subsection 2 of section 115.439.

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

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

6 (2) The election authority responsible for conducting the election authorizes the use  
 7 of mailed ballots for the election;

8 (3) The election is nonpartisan;

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

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

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

115.902. As used in sections 115.900 to 115.936, the following terms shall mean:

2 (1) "Covered voter":

3 (a) A uniformed services voter who is registered to vote in this state;

4 (b) A uniformed services voter defined in this section whose voting residence is in  
 5 this state and who otherwise satisfies this state's voter eligibility requirements; or

6 (c) An overseas voter;

7 (2) "Dependent", an individual recognized as a dependent by a uniformed service;

8 (3) "Federal postcard application", the application prescribed under Section 101(b)(2)  
 9 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)

10 (2);

11 (4) "Federal write-in absentee ballot", the ballot described in Section 103 of the  
 12 Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2;

13 (5) "Military-overseas ballot":

14 (a) A federal write-in absentee ballot;

15 (b) A ballot specifically prepared or distributed for use by a covered voter in  
16 accordance with sections 115.900 to 115.936; and

17 (c) A ballot cast by a covered voter in accordance with sections 115.900 to 115.936;

18 (6) "Overseas voter":

19 (a) A person who resides outside the United States and is qualified to vote in the last  
20 place in which the person was domiciled before leaving the United States; or

21 (b) A person who resides outside the United States and, but for such residence, would  
22 be qualified to vote in the last place in which the person was domiciled before leaving the  
23 United States;

24 (7) "State", a state of the United States, the District of Columbia, Puerto Rico, the  
25 United States Virgin Islands, or any territory or insular possession subject to the jurisdiction  
26 of the United States;

27 (8) "Uniformed services":

28 (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps,  
29 **Space Force**, or Coast Guard of the United States;

30 (b) The Merchant Marine, the commissioned corps of the Public Health Service, or  
31 the commissioned corps of the National Oceanic and Atmospheric Administration of the  
32 United States; or

33 (c) The Missouri National Guard;

34 (9) "Uniformed services voter", an individual who is qualified to vote and is:

35 (a) A member of the active or reserve components of the Army, Navy, Air Force,  
36 Marine Corps, **Space Force**, or Coast Guard of the United States who is on active duty;

37 (b) A member of the Merchant Marine, the commissioned corps of the Public Health  
38 Service, or the commissioned corps of the National Oceanic and Atmospheric Administration  
39 of the United States;

40 (c) A member on activated status of the National Guard; or

41 (d) A spouse or dependent of a member referred to in this subdivision;

42 (10) "United States", used in the territorial sense, the several states, the District of  
43 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular  
44 possession subject to the jurisdiction of the United States.

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

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

6 (2) Except as provided in subsection 2 of this section, as used in this section and  
7 sections 432.200 to 432.295, the parties who agree to conduct voter registration transactions

8 by electronic means shall be the local election authority who is required to accept or reject a  
9 voter registration application and the prospective voter submitting the application;

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

12 (4) Except as provided in subsection 2 of this section **and section 115.160**, no officer,  
13 agency, or organization shall collect or submit a voter registration application with an  
14 electronic signature to an election authority without first obtaining approval of the data and  
15 signature format from the local election authority and the approval of the voter to collect and  
16 store the signature and data; and

17 (5) Local election authorities who maintain a voter registration application system  
18 shall direct voter registration applicants from other jurisdictions to the system used by the  
19 local election authority for that jurisdiction to accept voter registration applications  
20 electronically.

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

24 (1) Within thirty days of, but in no event prior to January 1, 2017, the president of the  
25 Missouri Association of County Clerks and Election Authorities shall appoint fourteen of its  
26 members to serve on a committee to approve and develop uniform standards, systems, and  
27 modifications that shall be used by the secretary of state in any electronic voter registration  
28 application system offered by that office. The committee may also make recommendations  
29 regarding the purchase, maintenance, integration, and operation of electronic databases,  
30 software, and hardware used by local election authorities and the secretary of state's office  
31 including, but not limited to, systems used for military and overseas voting and for building  
32 and conducting election operations. The committee shall have fourteen local election  
33 authorities, including representatives of each classification of counties, a representative from  
34 an election board, and at least one member who has experience processing online voter  
35 registration transactions. In addition, one representative appointed by the secretary of state's  
36 office shall serve on the committee;

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

40 (3) Once the format and data collection standards are approved by the committee and  
41 implemented for the system maintained by the secretary of state, local election authorities  
42 shall accept the transmission of voter registration applications submitted to the approved  
43 system under the provisions of sections 432.200 to 432.295;

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

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

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

58 3. Each applicant who registers using an approved electronic voter registration  
59 application system shall be deemed to be registered as of the date the signed application is  
60 submitted to the system, if such application is accepted and not rejected by the election  
61 authority and the verification notice required under section 115.155 is not returned as  
62 undeliverable by the postal service.

63 4. This section shall not apply to voter registration and absentee records submitted by  
64 voters authorized under federal law, section 115.291, or sections 115.900 to 115.936 to submit  
65 electronic records and signatures.

66 5. High quality copies, including electronic copies, of signatures made on paper  
67 documents may be used for petition signature verification purposes and retained as records.

68 6. Any signature required for petition submission under chapter 116 shall be  
69 handwritten on a paper document.

70 7. ~~[Notwithstanding the provisions of section 432.230]~~ **Except as provided under**  
71 **sections 115.160 and 432.230**, nothing in this section shall require the election authority to  
72 accept voter registration records or signatures created, generated, sent, communicated,  
73 received, stored, or otherwise processed, or used by electronic means or in electronic form  
74 from any officer, agency, or organization not authorized under subsection 2 of this section  
75 without prior approval from the election authority. **Election authorities shall accept and**  
76 **process voter registration records, including electronic images of applicant signatures,**  
77 **transmitted electronically by the division of motor vehicle and driver licensing of the**  
78 **department of revenue under section 115.160.** Except as provided in subsection 2 of this  
79 section **and section 115.160**, no officer, agency, or organization shall give the voter the

80 opportunity to submit a voter registration application with an electronic signature without first  
81 obtaining the approval of the local election authority.

82 8. An election authority that agrees to conduct a transaction by electronic means may  
83 refuse to conduct other transactions by electronic means.

84 9. No election authority or the secretary of state shall furnish to any member of the  
85 public any data collected under a voter registration application system except as authorized in  
86 subsections 1 to 5 of section 115.157.

87 10. Nothing in this section shall be construed to require the secretary of state to cease  
88 operating a voter registration application in place as of the effective date of this act.

**115.1200. 1. This section shall be known as the "Missouri Elections Sovereignty  
2 Act".**

3 **2. The general assembly finds that regulations placed by Congress on the times,  
4 places, and manner of holding elections for representatives and the times and manner of  
5 holding elections for senators are limited only to those respective offices and do not  
6 extend to state and local elections.**

7 **3. The general assembly of the state of Missouri reserves authority to regulate  
8 both voter qualifications and the time, place, and manner for state and local elections to  
9 the maximum extent authorized by the Constitution of the United States.**

10 **4. The state of Missouri shall comply with and implement federal laws governing  
11 the time, place, and manner of United States representative elections and federal laws  
12 governing the time and manner of United States senate elections to the extent necessary  
13 to preserve the federal system of government and comply with the Constitution of the  
14 United States, but shall reserve the right to protect, preserve, and defend the integrity of  
15 state and local elections through lawful regulation of voter qualifications for such state  
16 and local elections.**

17 **5. Any differences in the regulations for time, place, and manner of holding  
18 elections for federal representatives, the time and manner for the senate elections, and  
19 state and local elections, shall result in separate election procedures to ensure the  
20 sovereignty of the state of Missouri to conduct elections in the manner in which the  
21 general assembly shall deem necessary.**

**115.1500. 1. As used in this section, the term "communications" shall mean any  
2 federal directive or guidance communicated to the state of Missouri through telephonic  
3 or electronic means, through the mail, or through in-person contact pertaining to  
4 elections, including the times, places, and manner for carrying out elections in Missouri,  
5 received on or after the effective date of this section, by any state agency or person,  
6 group, or entity charged by the state to administer any official election occurring within  
7 the state. This includes, but is not limited to, any guidance issued by the Department of**

8 Justice or any other federal executive agency related to new or existing voting or  
9 election laws or procedures.

10 2. Any state agency, whether that agency is involved in elections or not, or any  
11 person, group, or entity charged by the state to administer any official election  
12 occurring within the state, who receives or sends a communication with the Department  
13 of Justice or any other federal executive branch agency related to new or existing voting  
14 or election laws, shall provide notice to the governor and general assembly of this  
15 communication within five business days.

16 3. The notice requirement in subsection 2 of this section shall be presumed to  
17 have been met based on the post-marked date on each letter sent to the governor and  
18 general assembly, through certified mail, outlining the communication the agency,  
19 person, group, or entity received from or sent to the Department of Justice or any other  
20 federal executive agency.

21 4. This section shall expire on February 1, 2025.

115.1505. 1. As used in this section, the term "new federal election guidance"  
2 shall mean any federal directive or guidance pertaining to elections including the times,  
3 places, and manner for carrying out elections in Missouri received on or after the date  
4 this section is signed into law, by a person, group, or entity charged by the state to  
5 administer any official election occurring within Missouri. This includes, but is not  
6 limited to, any guidance issued by the Department of Justice or any other federal  
7 executive agency related to new or existing voting or election laws.

8 2. Any person, group, or entity charged by the state of Missouri to administer  
9 any official election occurring within the state who intends to implement any new  
10 federal election guidance pending approval from the state legislature in compliance with  
11 this statute, shall provide notice to the general assembly of its intent to do so at least  
12 thirty days before implementing the guidance.

13 3. All new federal election guidance shall be approved by the state legislature  
14 before it is implemented by a person, group, or entity charged by the state to administer  
15 any official election occurring within the state.

16 4. It shall be presumed for purposes of compliance with this section that the  
17 general assembly has approved the implementation of the new federal election guidance  
18 if the general assembly fails to vote on the issue within thirty days from when notice is  
19 provided to the legislature under subsection 2 of this section.

20 5. A violation of this section shall result in a fine in the amount of five thousand  
21 dollars to be levied every thirty days until the implemented guidance is formally  
22 withdrawn.

23 6. This section shall expire on February 1, 2025.

115.1510. 1. As used in this section, the term "new federal election funds" shall mean any federal funds received on or after the date this act is signed into law, by a person, group, or entity charged by the state of Missouri to administer any official election occurring within the state.

2. Any person, group, or entity charged by the state to administer any official election occurring within Missouri who intends to accept or disperse federal election funds pending approval from the state legislature in compliance with this section, shall provide notice to the general assembly of its intent to do so at least thirty days before accepting the funds. If funds have already been accepted, then notice must be provided to the general assembly thirty days before the funds are to be dispersed.

3. All new federal election funds shall be approved by the general assembly before they may be accepted or dispersed by a person, group, or entity charged by the state to administer any official election occurring within the state.

4. It shall be presumed for purposes of compliance with this section that the general assembly has approved the acceptance and dispersal of new federal election funds if the general assembly fails to vote on the issue within thirty days from when notice is provided to the general assembly in accordance with subsection 2 of this section.

5. A violation of this section shall result in a fine in the amount of the new federal election funds accepted or dispersed in violation of this section plus an additional one thousand dollars.

6. This section shall expire on February 1, 2025.

167.177. 1. Any school district in the state may adopt the provisions of subsections 2 and 3 of this section if approved by vote of residents of the school district.

2. As used in this section, the following terms mean:

(1) "Public school", the same definition as in section 160.011;

(2) "Sex", an individual's biological sex based solely on an individual's reproductive biology and genetics at birth.

3. No public school shall knowingly allow a student of the male sex who is enrolled in such public school to participate on a school-sponsored athletic team that is exclusively for students of the female sex.

4. Beginning July 1, 2023, the joint committee on education shall study student athletic events that are exclusively for males or exclusively for females and the impact of a policy that prohibits participation in those events by individuals who are of the opposite sex. Before January 1, 2024, the joint committee shall report its findings and recommendations, with any legislation required to implement the recommendations, to the general assembly.

Section 1. 1. As used in this section, the term "public official" means any elected or appointed officer, employee, or agent of the state or any political subdivision, board, commission, bureau, or other public body established by law.

2. In any civil action in a state or federal court, no public official, including any attorney representing or acting on behalf of a public official, has any authority to compromise or settle an action, consent to any condition, or agree to any order in connection therewith if the compromise, settlement, condition, or order nullifies, suspends, enjoins, alters, or conflicts with any provision of chapters 115 to 128.

3. Any compromise, settlement, condition, or order to which a public official agrees that conflicts with subsection 2 of this section is void and has no legal effect.

4. Nothing in this section shall be construed to limit or otherwise restrict any powers granted by articles III or VIII of the Constitution of Missouri.

5. When a party to an action in state or federal court challenges the constitutionality of a statute facially or as applied, challenges a statute as violating or preempted by federal law, or otherwise challenges the construction or validity of a statute, as part of a claim or affirmative defense, that party shall provide a copy of the pleading to the speaker of the house of representatives and the president pro tempore of the senate within fourteen days of filing the pleading with the court. The speaker of the house of representatives and the president pro tempore of the senate may intervene to defend against the action at any time in the action as a matter of right by serving motion upon the parties as provided by applicable rules of civil procedure.

6. The speaker of the house of representatives may intervene at any time in an action on behalf of the house of representatives. The speaker may obtain legal counsel other than from the attorney general, with the cost of representation paid from funds appropriated for that purpose, to represent the house of representatives in any action in which the speaker intervenes.

7. The president pro tempore of the senate may intervene at any time in an action on behalf of the senate. The president pro tempore may obtain legal counsel other than from the attorney general, with the cost of representation paid from funds appropriated for that purpose, to represent the senate in any action in which the president pro tempore intervenes.

8. The president pro tempore of the senate and the speaker of the house of representatives, acting jointly, may intervene at any time in an action on behalf of the general assembly. The president pro tempore and the speaker, acting jointly, may obtain legal counsel other than from the attorney general, with the cost of representation paid from funds appropriated for that purpose, to represent the

37 **general assembly in any action in which the president pro tempore and speaker jointly**  
38 **intervene.**

39 **9. No individual member, or group of members, of the senate or the house of**  
40 **representatives, except the president pro tempore and the speaker as provided under**  
41 **this section, shall intervene in an action described in this section or obtain legal counsel**  
42 **at public expense under this section in the member's or group's capacity as a member or**  
43 **members of the senate or the house of representatives.**

44 **10. Notwithstanding any contrary provision of law, the participation of the**  
45 **speaker of the house of representatives or the president pro tempore of the senate in any**  
46 **state or federal action, as a party or otherwise, does not constitute a waiver of the**  
47 **legislative immunity or legislative privilege of any member, officer, or staff of the**  
48 **general assembly.**

**Section 2. A person commits the offense of tampering with an election official if,**  
2 **with the purpose to harass, intimidate, or influence such official in the performance of**  
3 **such official's official duties, such person disseminates through any means, including by**  
4 **posting on the internet, the official's family's personal information. For purposes of this**  
5 **section, "personal information" includes a home address, Social Security number,**  
6 **federal tax identification number, checking or savings account numbers, marital status,**  
7 **and identity of a child under eighteen years of age. For the purposes of this section, the**  
8 **term "election official" includes election judges, challengers, watchers, and other**  
9 **volunteers or employees of an election authority. The offense of tampering with an**  
10 **election official shall be a class D felony. If a violation of this section results in death or**  
11 **bodily injury to an election official or a member of the official's family, the offense shall**  
12 **be a class B felony.**

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

~~9 2. Each application for a mail-in ballot shall be made to the election~~  
~~10 authority of the jurisdiction in which the person is registered. Each application~~  
~~11 shall be in writing and shall state the applicant's name, address at which he or~~  
~~12 she is registered, the address to which the ballot is to be mailed.~~

~~13 3. All applications for mail-in ballots received prior to the sixth~~  
~~14 Tuesday before an election shall be stored at the office of the election authority~~  
~~15 until such time as the applications are processed under section 115.281. No~~  
~~application for a mail-in ballot received in the office of the election authority~~

16 after 5:00 p.m. on the second Wednesday immediately prior to the election  
17 shall be accepted by any election authority.

18 4. Each application for a mail-in ballot shall be signed by the applicant  
19 or, if the application is made by a guardian or relative under this section, the  
20 application shall be signed by the guardian or relative, who shall note on the  
21 application his or her relationship to the applicant. If an applicant, guardian, or  
22 relative is blind, unable to read or write the English language, or physically  
23 incapable of signing the application, he or she shall sign by mark that is  
24 witnessed by the signature of an election official or person of his or her choice.  
25 Knowingly making, delivering, or mailing a fraudulent mail-in ballot  
26 application is a class one election offense.

27 5. Not later than the sixth Tuesday prior to each election, or within  
28 fourteen days after candidate names or questions are certified under section  
29 115.125, the election authority shall cause to have printed and made available  
30 a sufficient quantity of ballots, ballot envelopes, and mailing envelopes. As  
31 soon as possible after a proper official calls a special state or county election,  
32 the election authority shall cause to have printed and made available a  
33 sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes.

34 6. Each ballot envelope shall bear a statement in substantially the same  
35 form described in subsection 9 of this section. In addition, any person  
36 providing assistance to the mail-in voter shall include a signature on the  
37 envelope identifying the person providing such assistance under penalties of  
38 perjury. Persons authorized to vote only for federal and statewide offices shall  
39 also state their former Missouri residence.

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

42 State of Missouri  
43 County (City) of \_\_\_\_\_  
44 I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City of  
45 St. Louis, Kansas City), declare under the penalties of perjury that: I  
46 am qualified to vote at this election; I have not voted and will not vote  
47 other than by this ballot at this election. I further state that I marked the  
48 enclosed ballot in secret or that I am blind, unable to read or write  
49 English, or physically incapable of marking the ballot, and the person  
50 of my choosing indicated below marked the ballot at my direction; all  
51 of the information on this statement is, to the best of my knowledge  
52 and belief, true.

53 \_\_\_\_\_  
54 Signature of Voter  
55 \_\_\_\_\_  
56 Signature of Person  
57 Assisting Voter  
58 (if applicable)

59 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of notary or other officer authorized to administer oaths.

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~~Mailing addresses  
(if different)~~

~~8. Upon receipt of a signed application for a mail in ballot and if satisfied that the applicant is entitled to vote by mail in ballot, the election authority shall, within three working days after receiving the application, or, if mail in ballots are not available at the time the application is received, within five working days after such ballots become available, deliver to the voter a mail in ballot, ballot envelope and such instructions as are necessary for the applicant to vote. If the election authority is not satisfied that any applicant is entitled to vote by mail in ballot, the authority shall not deliver a mail in ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the applicant and state the reason he or she is not entitled to vote by mail in ballot. The applicant may file a complaint with the elections division of the secretary of state's office under section 115.219.~~

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

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

~~11. Upon receiving a mail in ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The statement required under subsection 7 of this section shall be subscribed and sworn to before a notary public or other officer authorized by law to administer oaths. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person who assists a voter and in any manner coerces or initiates a request or suggestion that the voter vote for or against, or refrain from voting on, any question or candidate, shall be guilty of a class one election offense. If, upon counting, challenge, or election contest, it is ascertained that any mail in ballot was voted with unlawful assistance, the ballot shall be rejected.~~

~~12. Each mail in ballot shall be returned to the election authority in the ballot envelope and shall only be returned by the voter by United States mail.~~

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

~~14. All votes on each mail in ballot received by an election authority at or before the time fixed by law for the closing of the polls on election day shall~~

106 ~~be counted. No votes on any mail-in ballot received by an election authority~~  
107 ~~after the time fixed by law for the closing of the polls on election day shall be~~  
108 ~~counted.~~

109 ~~15. If sufficient evidence is shown to an election authority that any~~  
110 ~~mail-in voter has died prior to the opening of the polls on election day, the~~  
111 ~~ballot of the deceased voter shall be rejected if it is still sealed in the ballot~~  
112 ~~envelope. Any such rejected ballot, still sealed in its ballot envelope, shall be~~  
113 ~~sealed with the application and any other papers connected therewith in an~~  
114 ~~envelope marked "Rejected ballot of \_\_\_\_\_, a mail-in voter of \_\_\_\_\_ voting~~  
115 ~~district". The reason for rejection shall be noted on the envelope, which shall~~  
116 ~~be kept by the election authority with the other ballots from the election until~~  
117 ~~the ballots are destroyed according to law.~~

118 ~~16. As each mail-in ballot is received by the election authority, the~~  
119 ~~election authority shall indicate its receipt on the list.~~

120 ~~17. All mail-in ballot envelopes received by the election authority~~  
121 ~~shall be kept together in a safe place and shall not be opened except as~~  
122 ~~provided under this chapter.~~

123 ~~18. Mail-in ballots shall be counted using the procedures set out in~~  
124 ~~sections 115.297, 115.299, 115.300, and 115.303.~~

125 ~~19. The false execution of a mail-in ballot is a class one election~~  
126 ~~offense. The attorney general or any prosecuting or circuit attorney shall have~~  
127 ~~the authority to prosecute such offense either in the county of residence of the~~  
128 ~~person or in the circuit court of Cole County.~~

129 ~~20. The provisions of this section shall apply only to an election that~~  
130 ~~occurs during the year 2020, to avoid the risk of contracting or transmitting~~  
131 ~~severe acute respiratory syndrome coronavirus 2.~~

132 ~~21. The provisions of this section terminate and shall be repealed on~~  
133 ~~December 31, 2020, and shall not apply to any election conducted after that~~  
134 ~~date.]~~

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