

FIRST REGULAR SESSION

# HOUSE BILL NO. 772

## 91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LINTON.

Read 1<sup>st</sup> time February 14, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1728L.021

### AN ACT

To repeal sections 115.427 and 115.429, RSMo 2000, relating to voting procedures, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Sections 115.427 and 115.429, RSMo 2000, are repealed and two new sections enacted in lieu thereof, to be known as sections 115.427 and 115.429, to read as follows:

115.427. 1. In counties using binders as precinct registers, before receiving a ballot, each voter shall identify himself **or herself** and write his **or her** address and sign his **or her** name on a certificate furnished to the election judges by the election authority. Each certificate shall be in substantially the following form:

#### 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.

.....

Sign Name

..... (Do Not Print)

.....

Initials of two judges from Address

different political parties

2. In counties using computer printouts as the precinct register, before receiving a ballot, each voter shall present his **or her** voter identification card as provided in section 115.163. The computer printout shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the computer printout:

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. The voter shall sign his **or her** name and verify his **or her** address by his **or her** initials.

3. If any voter is unable to sign his **or her** name, an election judge shall print the name and address of the voter in the appropriate place on the certificate or printout, the voter shall make his **or her** mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

4. In counties using binders as the precinct register, two election judges, one from each major political party, shall compare the signature on the identification certificate with the signature on the precinct register.

5. In counties using printouts as the precinct register, two election judges, one from each major political party, shall compare the signature on the voter identification card with the signature on the computer printout. If the voter does not have his **or her** voter identification card, the judges shall require identification acceptable to the election authority. Personal knowledge of the voter by two election judges, one from each major political party, shall be acceptable identification to the election authority.

**6. In every municipality or county, an election judge shall ask the voter for his or her full name and current residence address and repeat, in a voice audible to other election judges, challengers and watchers present, the full name and address stated by the voter. The election judge shall ask any voter who votes in person to present any one of the following forms of identification: a valid Missouri driver's license; a valid identification card containing a photograph of the voter and issued by a branch, department, agency or any political subdivision of the state of Missouri or any other state or the United States authorized by law to issue personal identification; a valid U.S. passport; a valid employee identification card containing a photograph of the voter and issued by any branch, department, agency or entity of the United States government, the state of Missouri or any**

55 **county municipality, board, authority or other entity of this state; a valid employee**  
56 **identification card containing a photograph of the voter and issued by an employer of the**  
57 **voter in the ordinary course of such employer's business; a valid student identification card**  
58 **containing a photograph of the voter from any public or private college, university or**  
59 **postgraduate technical or professional school located within the state of Missouri; or a**  
60 **valid United States military identification card containing a photograph of the voter.**

115.429. 1. The election judges shall not permit any person to vote unless satisfied that  
2 such person is the person whose name appears on the precinct register **and whose name was**  
3 **stated by such person pursuant to section 115.427.**

4 2. The identity or qualifications of any person offering to vote may be challenged by any  
5 election authority personnel, any registered voter, or any duly authorized challenger at the polling  
6 place. No person whose right to vote is challenged shall receive a ballot until his **or her** identity  
7 and qualifications have been established.

8 3. Any question of doubt concerning the identity or qualifications of a voter shall be  
9 decided by a majority of the judges. If the election judges decide not to permit a person to vote  
10 because of doubt as to his **or her** identity or qualifications, the person may apply to the election  
11 authority or to the circuit court as provided in sections 115.193 and 115.223.

12 4. If the election judges cannot reach a decision on the identity or qualifications of any  
13 person, the question shall be decided by the election authority, subject to appeal to the circuit  
14 court as provided in section 115.223.

15 5. The election judges or the election authority may require any person whose right to  
16 vote is challenged to execute an affidavit affirming his **or her** qualifications. The election  
17 authority shall furnish to the election judges a sufficient number of blank affidavits of  
18 qualification, and the election judges shall enter any appropriate information or comments under  
19 the title "Remarks" which shall appear at the bottom of the affidavit. All executed affidavits of  
20 qualification shall be returned to the election authority with the other election supplies. Any  
21 person who makes a false affidavit of qualification shall be guilty of a class one election offense.