

FIRST REGULAR SESSION

# HOUSE BILL NO. 66

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WALLACE.

Pre-filed December 3, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0504L.011

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### AN ACT

To repeal sections 115.135, 115.155, and 115.160, RSMo, and to enact in lieu thereof three new sections relating to voter registration.

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

Section A. Sections 115.135, 115.155, and 115.160, RSMo, are repealed and three new  
2 sections enacted in lieu thereof, to be known as sections 115.135, 115.155, and 115.160, to read  
3 as follows:

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

11 2. A person applying to register with an election authority or a deputy registration official  
12 shall present a **copy of a birth certificate or other proof of United States citizenship and a**  
13 valid Missouri drivers license or other form of personal identification at the time of registration.

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.

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

          115.155. 1. The election authority shall provide for the registration of each voter. Each  
2 application shall be in substantially the following form:

3                               APPLICATION FOR REGISTRATION

4  
5 Are you a citizen of the United States?

6                               ☐ YES                               ☐ NO

7  
8 Will you be 18 years of age on or before election day?

9                               ☐ YES                               ☐ NO

10           IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO  
11 NOT COMPLETE THIS FORM.

12           IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR  
13 THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO  
14 IDENTIFICATION [OR] **AND** A COPY OF A [CURRENT UTILITY BILL, BANK  
15 STATEMENT, GOVERNMENT CHECK, PAYCHECK, OR GOVERNMENT DOCUMENT  
16 THAT SHOWS YOUR NAME AND ADDRESS. IF YOU DO NOT SUBMIT SUCH  
17 INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL  
18 IDENTIFICATION UPON VOTING FOR THE FIRST TIME] **BIRTH CERTIFICATE OR**  
19 **OTHER PROOF OF UNITED STATES CITIZENSHIP.**

20                               .....  
21                               Township (or Ward)  
22                               .....  
23           Name                               Precinct  
24                               .....  
25           Home Address                               Required Personal  
26                               Identification Information  
27                               .....  
28           City       ZIP  
29                               .....  
30           Date of Birth                               Place of Birth (Optional)  
31                               .....  
32           Telephone Number                               Mother's Maiden Name  
33           (Optional)                               (Optional)

34 .....  
 35 Occupation (Optional) Last Place Previously Registered  
 36 .....  
 37 Last four digits of Under What Name  
 38 Social Security Number  
 39 (Required for registration  
 40 unless no Social Security  
 41 number exists for Applicant)  
 42  
 43 Remarks:  
 44 .....  
 45 When  
 46

47 I am a citizen of the United States and a resident of the state of Missouri. I have not been  
 48 adjudged incapacitated by any court of law. If I have been convicted of a felony or of a  
 49 misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting  
 50 from such conviction removed pursuant to law. I do solemnly swear that all statements made  
 51 on this card are true to the best of my knowledge and belief.

52 .....  
 53 Signature of Voter Date  
 54 .....

55 Signature of Election Official

56 2. After supplying all information necessary for the registration records, each applicant  
 57 who appears in person before the election authority shall swear or affirm the statements on the  
 58 registration application by signing his or her full name, witnessed by the signature of the election  
 59 authority or such authority's deputy registration official. Each applicant who applies to register  
 60 by mail pursuant to section 115.159, or pursuant to section 115.160 or 115.162, shall attest to  
 61 the statements on the application by his or her signature.

62 3. Upon receipt by mail of a completed and signed voter registration application, a voter  
 63 registration application forwarded by the division of motor vehicle and drivers licensing of the  
 64 department of revenue pursuant to section 115.160, or a voter registration agency pursuant to  
 65 section 115.162, the election authority shall, if satisfied that the applicant is entitled to register,  
 66 transfer all data necessary for the registration records from the application to its registration  
 67 system. Within seven business days after receiving the application, the election authority shall  
 68 send the applicant a verification notice. If such notice is returned as undeliverable by the postal

69 service within the time established by the election authority, the election authority shall not place  
70 the applicant's name on the voter registration file.

71 4. If, upon receipt by mail of a voter registration application or a voter registration  
72 application forwarded pursuant to section 115.160 or 115.162, the election authority determines  
73 that the applicant is not entitled to register, such authority shall, within seven business days after  
74 receiving the application, so notify the applicant by mail and state the reason such authority has  
75 determined the applicant is not qualified. The applicant may have such determination reviewed  
76 pursuant to the provisions of section 115.223. If an applicant for voter registration fails to  
77 answer the question on the application concerning United States citizenship, the election  
78 authority shall notify the applicant of the failure and provide the applicant with an opportunity  
79 to complete the form in a timely manner to allow for the completion of the registration form  
80 before the next election.

81 5. It shall be the responsibility of the secretary of state to prescribe specifications for  
82 voter registration documents so that they are uniform throughout the state of Missouri and  
83 comply with the National Voter Registration Act of 1993, including the reporting requirements,  
84 and so that registrations, name changes and transfers of registrations within the state may take  
85 place as allowed by law.

86 6. All voter registration applications shall be preserved in the office of the election  
87 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.

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

15 5. Any voter registration application received pursuant to the provisions of this section  
16 shall be forwarded to the election authority located within that county or any city not within a  
17 county, or if there is more than one election authority within the county, then to the election

18 authority located nearest to the location where the driver's license application was received. The  
19 election authority receiving the application forms shall review the applications and forward any  
20 applications pertaining to a different election authority to that election authority.

21         6. A completed voter registration application accepted in the driver's licensing process  
22 shall be transmitted to the election authority described in subsection 5 of this section not later  
23 than five business days after the form is completed by the applicant.

24         **7. Any person registering to vote when applying for or renewing a Missouri driver's**  
25 **license shall, if requested by the county clerk, submit with the application form a copy of**  
26 **the person's birth certificate or other proof of United States citizenship.**