

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE JOINT RESOLUTION NO. 90**  
**97TH GENERAL ASSEMBLY**

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Reported from the Committee on Financial and Governmental Organizations and Elections, May 6, 2014, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

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**JOINT RESOLUTION**

Submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, by adding thereto one new section relating to early voting.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2014, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article VIII of the Constitution of the state of Missouri:

Section A. Article VIII, Constitution of Missouri, is amended by adding  
2 thereto one new section, to be known as section 11, to read as follows:

**Section 11. 1. Qualified voters of the state shall be entitled to**  
2 **vote in person or by mail in advance of the day of the general election,**  
3 **but only under the following subdivisions:**

4 **(1) Qualified voters casting ballots under this section shall have**  
5 **been registered to vote, unless otherwise provided by law, on or before**  
6 **the fourth Wednesday prior to the day of the election;**

7 **(2) No qualified voter shall be required to state any reason,**  
8 **excuse, or explanation for casting a ballot under this section;**

9 **(3) Ballots shall be cast in person or by mail only during the six**  
10 **business days, not to include Saturday or Sunday, immediately prior to**  
11 **and including the last Wednesday prior to the election day. In-person**  
12 **ballots shall be cast at the local election authority during its regular**  
13 **business hours;**

14 **(4) Each local election authority shall appoint at least one**

15 election judge from each major political party to serve at the site of the  
16 local election authority. Procedures for appointing judges, casting  
17 ballots, and tabulating ballots shall be the same as provided by general  
18 election laws.

19         2. No local election authority or other public official shall, in  
20 advance of the day of the election, disclose the identity of any qualified  
21 voter who, in advance of the day of the election, has cast or has not cast  
22 a ballot, unless the qualified voter has authorized the disclosure. A  
23 qualified voter's authorization must be in writing, signed by the  
24 qualified voter, dated, and delivered to the secretary of state no later  
25 than the sixth Wednesday prior to the day of the election. An  
26 authorization is effective only for one general election.

27         3. If any local election authority is required by any provision of  
28 law or of this constitution to produce, in advance of the day of the  
29 election, a list of qualified voters who have already cast ballots, such  
30 list shall designate those qualified voters who have not filed a valid  
31 written authorization under subsection 2 of this section by using a  
32 random designation that does not identify those qualified voters or  
33 provide residential or other personal information from which their  
34 identities might be determined. If any such list is required to be  
35 delivered promptly after a request, the list shall be deemed to have  
36 been promptly delivered if it is delivered no later than 5:00 p.m. on the  
37 Monday before the election day. In addition to the restrictions in this  
38 section on the provision of identifying information, any such list shall  
39 include only qualified voter information authorized to be disclosed  
40 pursuant to general election laws.

41         4. The secretary of state and local election authorities shall  
42 provide qualified voters mail-in ballots under this section only by mail,  
43 and only upon the written, signed, and dated request of a qualified  
44 voter. Such request shall be valid for only one general election. No  
45 qualified voter shall receive more than one mail-in ballot.

46         5. No local election authority or other public office shall be  
47 required to conduct any activity or incur any expense for the purpose  
48 of allowing voting in person or by mail in advance of the general  
49 election day unless a state appropriation is made and disbursed to pay  
50 the local election authority or other public office for the increased cost  
51 or expense of the activity.

52           **6. The provisions of this section shall be self-executing. Any law**  
53 **that conflicts with this section shall not be valid or enforceable. If any**  
54 **provision of this section is found by a court of competent jurisdiction**  
55 **to be unconstitutional or unconstitutionally enacted, the remaining**  
56 **provisions of this section shall be and remain valid. Nothing in this**  
57 **section shall be deemed to repeal or invalidate section 7 of article VIII**  
58 **of this constitution or to repeal or invalidate general laws permitting**  
59 **certain qualified voters to cast absentee ballots.**

          Section B. Pursuant to chapter 116 and other applicable constitutional  
2 provisions and laws of the this state allowing the general assembly to adopt ballot  
3 language for the submission of this joint resolution to the voters of this state, the  
4 official summary statement of this resolution shall be as follows:

5           "Shall the Missouri Constitution be amended to permit voting in  
6 person or by mail for a period of six business days prior to and  
7 including the Wednesday before the election day in all general  
8 elections?"

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