

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILLS NOS. 34 & 105

98TH GENERAL ASSEMBLY

2015

0596H.05T

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## AN ACT

To repeal sections 115.135, 115.275, 115.277, 115.279, 115.283, 115.287, 115.291, 115.912, and 115.940, RSMo, and to enact in lieu thereof eight new sections relating to military and overseas voter registration, with an emergency clause.

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

Section A. Sections 115.135, 115.275, 115.277, 115.279, 115.283, 115.287, 115.291, 115.912, and 115.940, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 115.135, 115.275, 115.277, 115.279, 115.283, 115.287, 115.291, and 115.912, to read as follows:

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

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth

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

15 certificate, a Native American tribal document, other proof of United States  
16 citizenship, a valid Missouri drivers license or other form of personal identification at  
17 the time of registration.

18 3. Except as provided in federal law or federal elections and in section  
19 115.277, no person shall be entitled to vote if the person has not registered to vote  
20 in the jurisdiction of his or her residence prior to the deadline to register to vote.

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

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

3 (1) "Absentee ballot", any of the ballots a person is authorized to cast away  
4 from a polling place pursuant to the provisions of sections 115.275 to 115.304;

5 (2) **"Covered voter":**

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

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

10 (c) **An overseas voter;**

11 (d) **Civilian employees of the United States government working**  
12 **outside the boundaries of the United States, and their spouses and**  
13 **dependents;**

14 (e) **Active members of religious or welfare organizations assisting**  
15 **servicemen, and their spouses and dependents; or**

16 (f) **Persons who have been honorably discharged from the Armed**  
17 **Forces or who have terminated their service or employment in any group**  
18 **mentioned in this section within sixty days of an election, and their spouses**  
19 **and dependents;**

20 (3) **"Interstate former resident", a former resident and registered voter in this**  
21 **state who moves from Missouri to another state after the deadline to register to vote**

22 in any presidential election in the new state and who otherwise possesses the  
23 qualifications to register and vote in such state;

24       [(3)] **(4) "Intrastate new resident", a registered voter of this state who moves**  
25 **from one election authority's jurisdiction in the state to another election authority's**  
26 **jurisdiction in the state after the last day authorized in this chapter to register to**  
27 **vote in an election and otherwise possesses the qualifications to vote;**

28       [(4)] **(5) "New resident", a person who moves to this state after the last date**  
29 **authorized in this chapter to register to vote in any presidential election;**

30       [(5) "Persons in federal service" includes:

31       (a) Members of the Armed Forces of the United States, while in active service,  
32 and their spouses and dependents;

33       (b) Active members of the Merchant Marine of the United States and their  
34 spouses and dependents;

35       (c) Civilian employees of the United States government working outside the  
36 boundaries of the United States, and their spouses and dependents;

37       (d) Active members of religious or welfare organizations assisting servicemen,  
38 and their spouses and dependents; **or**

39       (e) Persons who have been honorably discharged from the Armed Forces or  
40 who have terminated their service or employment in any group mentioned in this  
41 section within sixty days of an election, and their spouses and dependents.]

42       **(6) "Overseas voter":**

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

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

49       **(7) "Uniformed services":**

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

52       **(b) The Merchant Marine, the commissioned corps of the Public**  
53 **Health Service, or the commissioned corps of the National Oceanic and**  
54 **Atmospheric Administration of the United States; or**

55       **(c) The Missouri National Guard;**

56       **(8) "Uniformed services voter", an individual who is qualified to vote**  
57 **and is:**

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

61           **(b) A member of the Merchant Marine, the commissioned corps of the**  
62 **Public Health Service, or the commissioned corps of the National Oceanic**  
63 **and Atmospheric Administration of the United States;**

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

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

67           **(9) "United States", used in the territorial sense, the several states,**  
68 **the District of Columbia, Puerto Rico, the United States Virgin Islands, and**  
69 **any territory or insular possession subject to the jurisdiction of the United**  
70 **States.**

115.277. 1. Except as provided in subsections 2, 3, 4, and 5 of this section,  
2 any registered voter of this state may vote by absentee ballot for all candidates and  
3 issues for which such voter would be eligible to vote at the polling place if such voter  
4 expects to be prevented from going to the polls to vote on election day due to:

5           (1) Absence on election day from the jurisdiction of the election authority in  
6 which such voter is registered to vote;

7           (2) Incapacity or confinement due to illness or physical disability, including  
8 a person who is primarily responsible for the physical care of a person who is  
9 incapacitated or confined due to illness or disability;

10           (3) Religious belief or practice;

11           (4) Employment as an election authority, as a member of an election  
12 authority, or by an election authority at a location other than such voter's polling  
13 place;

14           (5) Incarceration, provided all qualifications for voting are retained;

15           **(6) Certified participation in the address confidentiality program**  
16 **established under sections 589.660 to 589.681 because of safety concerns.**

17           2. Any [person in federal service] **covered voter**, as defined in section  
18 115.275, who is eligible to register and vote in this state [but is not registered may  
19 vote only in the election of presidential and vice presidential electors, United States  
20 senator and representative in Congress] **may vote in any election for federal**  
21 **office, statewide office, state legislative office, or statewide ballot initiatives**  
22 **by submitting a federal postcard application to apply to vote by absentee**  
23 **ballot or by submitting a federal postcard application at the polling place**

24 even though the person is not registered. **A federal postcard application**  
25 **submitted by a covered voter pursuant to this subsection shall also serve**  
26 **as a voter registration application under section 115.908 and the election**  
27 **authority shall, if satisfied that the applicant is entitled to register, place**  
28 **the voter's name on the voter registration file.** Each [person in federal service]  
29 **covered voter** may vote by absentee ballot or, upon submitting an affidavit that the  
30 person is qualified to vote in the election, may vote at the person's polling place.

31 3. Any interstate former resident, as defined in section 115.275, may vote by  
32 absentee ballot for presidential and vice presidential electors.

33 4. Any intrastate new resident, as defined in section 115.275, may vote by  
34 absentee ballot at the election for presidential and vice presidential electors, United  
35 States senator, representative in Congress, statewide elected officials and statewide  
36 questions, propositions and amendments from such resident's new jurisdiction of  
37 residence after registering to vote in such resident's new jurisdiction of residence.

38 5. Any new resident, as defined in section 115.275, may vote by absentee  
39 ballot for presidential and vice presidential electors after registering to vote in such  
40 resident's new jurisdiction of residence.

115.279. 1. Application for an absentee ballot may be made by the applicant  
2 in person, or by mail, or for the applicant, in person, by his or her guardian or a  
3 relative within the second degree by consanguinity or affinity. The election authority  
4 shall accept applications by facsimile transmission within the limits of its  
5 telecommunications capacity.

6 2. Each application shall be made to the election authority of the jurisdiction  
7 in which the person is or would be registered. Each application shall be in writing  
8 and shall state the applicant's name, address at which he or she is or would be  
9 registered, his or her reason for voting an absentee ballot, the address to which the  
10 ballot is to be mailed, if mailing is requested, and for absent uniformed services and  
11 overseas applicants, the applicant's email address if electronic transmission is  
12 requested. **If the reason for the applicant voting absentee is due to the**  
13 **reasons established under subdivision (6) of subsection 1 of section 115.277,**  
14 **the applicant shall state the voter's identification information provided by**  
15 **the address confidentiality program in lieu of the applicant's name, address**  
16 **at which he or she is or would be registered, and address to which the**  
17 **ballot is to be mailed, if mailing is requested.** Each application to vote in a  
18 primary election shall also state which ballot the applicant wishes to receive. If any  
19 application fails to designate a ballot, the election authority shall, within three

20 working days after receiving the application, notify the applicant by mail that it will  
21 be unable to deliver an absentee ballot until the applicant designates which political  
22 party ballot he or she wishes to receive. If the applicant does not respond to the  
23 request for political party designation, the election authority is authorized to provide  
24 the voter with that part of the ballot for which no political party designation is  
25 required.

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

36 4. Each application for an absentee ballot shall be signed by the applicant  
37 or, if the application is made by a guardian or relative pursuant to this section, the  
38 application shall be signed by the guardian or relative, who shall note on the  
39 application his or her relationship to the applicant. If an applicant, guardian or  
40 relative is blind, unable to read or write the English language or physically incapable  
41 of signing the application, he or she shall sign by mark, witnessed by the signature  
42 of an election official or person of his or her own choosing. Any person who  
43 knowingly makes, delivers or mails a fraudulent absentee ballot application shall be  
44 guilty of a class one election offense.

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

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

54 (3) Notwithstanding any other law to the contrary, if a standard oath  
55 regarding material misstatements of fact is adopted for uniformed and overseas voters

56 pursuant to the Help America Vote Act of 2002, the election authority shall accept  
57 such oath for voter registration, absentee ballot, or other election-related materials.

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

68 (5) As used in this section, the terms "absent uniformed services voter" and  
69 "overseas voter" shall have the meaning prescribed in 42 U.S.C. **Section** 1973ff-6.

70 6. An application for an absentee ballot by a new resident, as defined in  
71 section 115.275, shall be submitted in person by the applicant in the office of the  
72 election authority in the election jurisdiction in which such applicant resides. The  
73 application shall be received by the election authority no later than 7:00 p.m. on the  
74 day of the election. Such application shall be in the form of an affidavit, executed  
75 in duplicate in the presence of the election authority or any authorized officer of the  
76 election authority, and in substantially the following form:

77 "STATE OF .....

78 COUNTY OF ....., ss.

79 I,....., do solemnly swear that:

80 (1) Before becoming a resident of this state, I resided at  
81 ..... (residence address) in ..... (town,  
82 township, village or city) of ..... County in the state of  
83 .....

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

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

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

91 Signed .....

92 (Applicant)

93 .....

94 (Residence Address)

95 Subscribed and sworn to before me this ..... day of ....., .....

96 Signed .....

97 (Title and name of officer authorized to administer oaths)"

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

102 8. An application for an absentee ballot by an intrastate new resident, as  
103 defined in section 115.275, shall be made in person by the applicant in the office of  
104 the election authority in the election jurisdiction in which such applicant resides. The  
105 application shall be received by the election authority no later than 7:00 p.m. on the  
106 day of the election. Such application shall be in the form of an affidavit, executed  
107 in duplicate in the presence of the election authority or an authorized officer of the  
108 election authority, and in substantially the following form:

109 "STATE OF .....

110 COUNTY OF ....., ss.

111 I, ....., do solemnly swear that:

112 (1) Before becoming a resident of this election jurisdiction, I resided at  
113 ..... (residence address) in ..... (town, township, village  
114 or city) of ..... county in the state of .....

115 (2) I moved to this election jurisdiction after the last day to register to vote  
116 in such election;

117 (3) I believe I am entitled pursuant to the laws of this state to vote in the  
118 election to be held ..... (date);

119 (4) I hereby make application for an absentee ballot for candidates and issues  
120 on which I am entitled to vote pursuant to the laws of this state. I have not voted  
121 and shall not vote other than by this ballot at such election.

122 Signed .....

123 (Applicant)

124 .....

125 (Residence Address)

126 Subscribed and sworn to before me this ..... day of ....., .....

127 Signed .....



128 (Title and name of officer authorized to administer oaths)"

129 9. An application for an absentee ballot by an interstate former resident, as  
130 defined in section 115.275, shall be received in the office of the election authority  
131 where the applicant was formerly registered by 5:00 p.m. on the Wednesday  
132 immediately prior to the election, unless the application is made in person by the  
133 applicant in the office of the election authority, in which case such application shall  
134 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  
2 shall state the voter's name, the voter's voting address, the voter's mailing address  
3 and the voter's reason for voting an absentee ballot. **If the reason for the voter**  
4 **voting absentee is due to the reasons established under subdivision (6) of**  
5 **subsection 1 of section 115.277, the voter shall state the voter's**  
6 **identification information provided by the address confidentiality program**  
7 **in lieu of the applicant's name, voting address, and mailing address.** On the  
8 form, the voter shall also state under penalties of perjury that the voter is qualified  
9 to vote in the election, that the voter has not previously voted and will not vote again  
10 in the election, that the voter has personally marked the voter's ballot in secret or  
11 supervised the marking of the voter's ballot if the voter is unable to mark it, that the  
12 ballot has been placed in the ballot envelope and sealed by the voter or under the  
13 voter's supervision if the voter is unable to seal it, and that all information contained  
14 in the statement is true. In addition, any person providing assistance to the absentee  
15 voter shall include a statement on the envelope identifying the person providing  
16 assistance under penalties of perjury. Persons authorized to vote only for federal and  
17 statewide officers shall also state their former Missouri residence.

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

20 State of Missouri

21 County (City) of .....

22 I, ..... (print name), a registered voter of ..... County (City of St.  
23 Louis, Kansas City), declare under the penalties of perjury that I expect to be  
24 prevented from going to the polls on election day due to (check one):

25 ..... absence on election day from the jurisdiction of the election authority in  
26 which I am registered;

27 ..... incapacity or confinement due to illness or physical disability, including  
28 caring for a person who is incapacitated or confined due to illness or disability;

29 ..... religious belief or practice;

30 ..... employment as an election authority or by an election authority at a  
 31 location other than my polling place;  
 32 ..... incarceration, although I have retained all the necessary qualifications for  
 33 voting;

34 ..... **certified participation in the address confidentiality program**  
 35 **established under sections 589.660 to 589.681 because of safety concerns.**

36 I hereby state under penalties of perjury that I am qualified to vote at this election;  
 37 I have not voted and will not vote other than by this ballot at this election. I further  
 38 state that I marked the enclosed ballot in secret or that I am blind, unable to read  
 39 or write English, or physically incapable of marking the ballot, and the person of my  
 40 choosing indicated below marked the ballot at my direction; all of the information on  
 41 this statement is, to the best of my knowledge and belief, true.

42 .....	.....
43 Signature of Voter	Signature of Person
44	Assisting Voter
45	(if applicable)
46 Signed .....	Subscribed and sworn to
47 Signed .....	before me this ..... day
48 Address of Voter	of ....., .....
49 .....	.....
50 .....	.....
51 Mailing addresses	Signature of notary or
52 (if different)	other officer authorized
53	to administer oaths

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

57 State of Missouri

58 County (City) of .....

59 I, ..... (print name), declare under the penalties of perjury that I am  
 60 a citizen of the United States and eighteen years of age or older. I am not adjudged  
 61 incapacitated by any court of law, and if I have been convicted of a felony or of a  
 62 misdemeanor connected with the right of suffrage, I have had the voting disabilities  
 63 resulting from such conviction removed pursuant to law. I hereby state under  
 64 penalties of perjury that I am qualified to vote at this election.

65 I am (check one):

66 ..... a resident of the state of Missouri and a registered voter in .....  
 67 County and moved from that county to ..... County, Missouri, after  
 68 the last day to register to vote in this election.  
 69 ..... an interstate former resident of Missouri and authorized to vote for  
 70 presidential and vice presidential electors.  
 71 I further state under penalties of perjury that I have not voted and will not vote  
 72 other than by this ballot at this election; I marked the enclosed ballot in secret or am  
 73 blind, unable to read or write English, or physically incapable of marking the ballot,  
 74 and the person of my choosing indicated below marked the ballot at my direction; all  
 75 of the information on this statement is, to the best of my knowledge and belief, true.  
 76 ..... Subscribed to and sworn  
 77 Signature of Voter before me this ..... day  
 78 of ....., .....  
 79 .....  
 80 .....  
 81 Address of Voter Signature of notary or  
 82 other officer authorized  
 83 to administer oaths  
 84 .....  
 85 Mailing Address (if different) .....  
 86 .....  
 87 .....  
 88 Signature of Person Address of Last  
 89 Assisting Voter Missouri Residence  
 90 (if applicable)  
 91 4. The statement for persons voting absentee ballots who are entitled to vote  
 92 at the election pursuant to the provisions of subsection 2 of section 115.137 shall be  
 93 in substantially the following form:  
 94 State of Missouri  
 95 County (City) of .....  
 96 I, ..... (print name), declare under the penalties of perjury that  
 97 I expect to be prevented from going to the polls on election day due to (check one):  
 98 ..... absence on election day from the jurisdiction of the election authority in  
 99 which I am directed to vote;  
 100 ..... incapacity or confinement due to illness or physical disability, including  
 101 caring for a person who is incapacitated or confined due to illness or

102 disability;  
 103 ..... religious belief or practice;  
 104 ..... employment as an election authority or by an election authority at a  
 105 location other than my polling place;  
 106 ..... incarceration, although I have retained all the necessary qualifications of  
 107 voting;  
 108 ..... **certified participation in the address confidentiality program**  
 109 **established under sections 589.660 to 589.681 because of safety**  
 110 **concerns.**  
 111 I hereby state under penalties of perjury that I own property in the .....  
 112 district and am qualified to vote at this election; I have not voted and will not vote  
 113 other than by this ballot at this election. I further state that I marked the enclosed  
 114 ballot in secret or that I am blind, unable to read and write English, or physically  
 115 incapable of marking the ballot, and the person of my choosing indicated below  
 116 marked the ballot at my direction; all of the information on this statement is, to the  
 117 best of my knowledge and belief, true.  
 118 ..... Subscribed and sworn  
 119 Signature of Voter to before me this .....  
 120 day of ....., .....  
 121 .....  
 122 .....  
 123 Address Signature of notary or  
 124 other officer authorized  
 125 to administer oaths  
 126 .....  
 127 Signature of Person  
 128 Assisting Voter  
 129 (if applicable)

130 5. The statement for persons providing assistance to absentee voters shall be  
 131 in substantially the following form:  
 132 The voter needed assistance in marking the ballot and signing above, because of  
 133 blindness, other physical disability, or inability to read or to read English. I marked  
 134 the ballot enclosed in this envelope at the voter's direction, when I was alone with  
 135 the voter, and I had no other communication with the voter as to how he or she was  
 136 to vote. The voter swore or affirmed the voter affidavit above and I then signed the  
 137 voter's name and completed the other voter information above. Signed under the

138 penalties of perjury.

139 Reason why voter needed assistance: .....

140 ASSISTING PERSON SIGN HERE

141 1. .... (signature of assisting person)

142 2. .... (assisting person's name printed)

143 3. .... (assisting person's residence)

144 4. .... (assisting person's home city or town).

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

149 7. Notwithstanding any other provision of this section or section 115.291 to  
150 the contrary, the subscription, signature and seal of a notary or other officer  
151 authorized to administer oaths shall not be required on any ballot, ballot envelope,  
152 or statement required by this section if the reason for the voter voting absentee is  
153 due to the reasons established pursuant to subdivision (2) of subsection 1 of section  
154 115.277.

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

157 9. A notary public who charges more than the maximum fee specified or who  
158 charges or collects a fee for notarizing the signature on any absentee ballot or  
159 absentee voter registration is guilty of official misconduct.

115.287. 1. Upon receipt of a signed application for an absentee ballot and  
2 if satisfied the applicant is entitled to vote by absentee ballot, the election authority  
3 shall, within three working days after receiving the application, or if absentee ballots  
4 are not available at the time the application is received, within five working days  
5 after they become available, deliver to the voter an absentee ballot, ballot envelope  
6 and such instructions as are necessary for the applicant to vote. Delivery shall be  
7 made to the voter personally in the office of the election authority or by bipartisan  
8 teams appointed by the election authority, or by first class, registered, or certified  
9 mail at the discretion of the election authority, or in the case of a covered voter as  
10 defined in section 115.902, the method of transmission prescribed in section  
11 115.914. Where the election authority is a county clerk, the members of bipartisan  
12 teams representing the political party other than that of county clerk shall be selected  
13 from a list of persons submitted to the county clerk by the county chairman of that  
14 party. If no list is provided by the time that absentee ballots are to be made

15 available, the county clerk may select a person or persons from lists provided in  
16 accordance with section 115.087. If the election authority is not satisfied that any  
17 applicant is entitled to vote by absentee ballot, it shall not deliver an absentee ballot  
18 to the applicant. Within three working days of receiving such an application, the  
19 election authority shall notify the applicant and state the reason he or she is not  
20 entitled to vote by absentee ballot. The applicant may appeal the decision of the  
21 election authority to the circuit court in the manner provided in section 115.223.

22         2. If, after 5:00 p.m. on the Wednesday before an election, any voter from  
23 the jurisdiction has become hospitalized, becomes confined due to illness or injury, or  
24 is confined in an adult boarding facility, intermediate care facility, residential care  
25 facility, or skilled nursing facility, as defined in section 198.006, in the county in  
26 which the jurisdiction is located or in the jurisdiction or an adjacent election authority  
27 within the same county, the election authority shall appoint a team to deliver,  
28 witness the signing of and return the voter's application and deliver, witness the  
29 voting of and return the voter's absentee ballot. In counties with a charter form of  
30 government and in cities not within a county, and in each city which has over three  
31 hundred thousand inhabitants, and is situated in more than one county, if the  
32 election authority receives ten or more applications for absentee ballots from the same  
33 address it may appoint a team to deliver and witness the voting and return of  
34 absentee ballots by voters residing at that address, except when such addresses are  
35 for an apartment building or other structure wherein individual living units are  
36 located, each of which has its own separate cooking facilities. Each team appointed  
37 pursuant to this subsection shall consist of two registered voters, one from each major  
38 political party. Both members of any team appointed pursuant to this subsection  
39 shall be present during the delivery, signing or voting and return of any application  
40 or absentee ballot signed or voted pursuant to this subsection.

41         3. On the mailing and ballot envelopes for each [applicant in federal service]  
42 **covered voter**, the election authority shall stamp prominently in black the words  
43 "FEDERAL BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C.  
44 3406".

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

115.291. 1. Upon receiving an absentee ballot in person or by mail, the voter  
2 shall mark the ballot in secret, place the ballot in the ballot envelope, seal the  
3 envelope and fill out the statement on the ballot envelope. The affidavit of each  
4 person voting an absentee ballot shall be subscribed and sworn to before the election

5 official receiving the ballot, a notary public or other officer authorized by law to  
6 administer oaths, unless the voter is voting absentee due to incapacity or confinement  
7 due to the provisions of section 115.284 illness or physical disability, or the voter is  
8 a covered voter as defined in section 115.902. If the voter is blind, unable to read  
9 or write the English language, or physically incapable of voting the ballot, the voter  
10 may be assisted by a person of the voter's own choosing. Any person assisting a  
11 voter who is not entitled to such assistance, and any person who assists a voter and  
12 in any manner coerces or initiates a request or a suggestion that the voter vote for  
13 or against or refrain from voting on any question, ticket or candidate, shall be guilty  
14 of a class one election offense. If, upon counting, challenge or election contest, it is  
15 ascertained that any absentee ballot was voted with unlawful assistance, the ballot  
16 shall be rejected.

17       2. Except as provided in subsection 4 of this section, each absentee ballot  
18 shall be returned to the election authority in the ballot envelope and shall only be  
19 returned by the voter in person, or in person by a relative of the voter who is within  
20 the second degree of consanguinity or affinity, by mail or registered carrier or by a  
21 team of deputy election authorities; except that **[persons in federal service] covered**  
22 **voters**, when sent from a location determined by the secretary of state to be  
23 inaccessible on election day, shall be allowed to return their absentee ballots cast by  
24 use of facsimile transmission or under a program approved by the Department of  
25 Defense for electronic transmission of election materials.

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

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

115.912. An application for a military-overseas ballot is timely if received by  
2 5:00 p.m. on the **[Wednesday] Friday** prior to the election. An application for a  
3 military-overseas ballot for a primary election, whether or not timely, shall be  
4 effective as an application for a military-overseas ballot for the general election.

[115.940. Notwithstanding any other provision of law, a person  
2 in the federal service as defined under section 115.275 may vote in

3           the same manner, using the same technology and requirements, as an  
4           overseas voter under sections 115.900 to 115.936.]

Section B. Because immediate action is necessary to allow the provisions of  
2 this act to apply to election procedures before August 28, 2015, in order to protect the  
3 security needs of victims of domestic violence, rape, sexual assault, or stalking, the  
4 repeal and reenactment of sections 115.277, 115.279, and 115.283 of this act are  
5 deemed necessary for the immediate preservation of the public health, welfare, peace,  
6 and safety, and are hereby declared to be an emergency act within the meaning of  
7 the constitution, and the repeal and reenactment of sections 115.277, 115.279, and  
8 115.283 of this act shall be in full force and effect on July 1, 2015, or upon its  
9 passage and approval, whichever first occurs.

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