

House _____ Amendment NO. _____

Offered By

AMEND House Committee Substitute for House Bill Nos. 26 & 922, Page 10, Section 115.249, Line 20, by inserting immediately after said section and line the following:

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

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

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

~~_____ (3) Religious belief or practice;~~

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

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

~~_____ (6) Certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns].~~

2. Any covered voter~~[, as defined in section 115.275,]~~ who is eligible to register and vote in this state may vote in any election for federal office, statewide office, state legislative office, or statewide ballot initiatives by submitting a federal postcard application to apply to vote by absentee ballot or by submitting a federal postcard application at the polling place even though the person is not registered. A federal postcard application submitted by a covered voter pursuant to this subsection shall also serve as a voter registration application under section 115.908 and the election authority shall, if satisfied that the applicant is entitled to register, place the voter's name on the voter registration file. Each covered voter may vote by absentee ballot or, upon submitting an affidavit that the person is qualified to vote in the election, may vote at the person's polling place.

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

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

5. Any new resident~~[, as defined in section 115.275,]~~ may vote by absentee ballot for presidential and vice presidential electors after registering to vote in such resident's new jurisdiction of residence."; and

Further amend said bill and page, Section 115.279, Lines 1-22, by deleting said lines and inserting in lieu thereof the following:

"115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by mail,

Action Taken _____ Date _____

1 or for the applicant, in person, by his or her guardian or a relative within the second degree by consanguinity
 2 or affinity. The election authority shall accept applications by facsimile transmission and by electronic mail
 3 within the limits of its telecommunications capacity.

4 2. Each application shall be made to the election authority of the jurisdiction in which the person is
 5 or would be registered. Each application shall be in writing and shall state the applicant's name, address at
 6 which he or she is or would be registered, ~~[his or her reason for voting an absentee ballot,]~~ whether the
 7 applicant is incapacitated or confined due to illness or physical disability or is a person who is primarily
 8 responsible for the physical care of a person who is incapacitated or confined due to illness or physical
 9 disability, the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed
 10 services and overseas applicants, the applicant's email address if electronic transmission is requested. If the
 11 ~~[reason for the applicant voting absentee is due to the reasons established under subdivision (6) of subsection~~
 12 ~~1 of section 115.277]~~ applicant is a certified participant in the address confidentiality program established
 13 under sections 589.660 to 589.681, the applicant shall state the voter's identification information provided by
 14 the address confidentiality program in lieu of the applicant's name, address at which he or she is or would be
 15 registered, and address to which the ballot is to be mailed, if mailing is requested. Each application to vote in
 16 a primary election shall also state which ballot the applicant wishes to receive. If any application fails to
 17 designate a ballot, the election authority shall, within three working days after receiving the application,
 18 notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates
 19 which political party ballot he or she wishes to receive. If the applicant does not respond to the request for
 20 political party designation, the election authority is authorized to provide the voter with that part of the ballot
 21 for which no political party designation is required.

22 3. ~~[Except as provided in subsection 3 of section 115.281,]~~ All applications for absentee"; and

24 Further amend said bill and section, Page 13, Line 122, by inserting after said section and line the following:

26 "115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the voter's
 27 name, the voter's voting address, and the voter's mailing address ~~[and the voter's reason for voting an absentee~~
 28 ~~ballot]~~. If the ~~[reason for the voter voting absentee is due to the reasons established under subdivision (6) of~~
 29 ~~subsection 1 of section 115.277,]~~ applicant is a certified participant in the address confidentiality program
 30 established under sections 589.660 to 589.681 the voter shall state the voter's identification information
 31 provided by the address confidentiality program in lieu of the applicant's name, voting address, and mailing
 32 address. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in
 33 the election, that the voter has not previously voted and will not vote again in the election, that the voter has
 34 personally marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is
 35 unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under the
 36 voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true.
 37 In addition, any person providing assistance to the absentee voter shall include a statement on the envelope
 38 identifying the person providing assistance under penalties of perjury. Persons authorized to vote only for
 39 federal and statewide officers shall also state their former Missouri residence.

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

42 State of Missouri

43 County (City) of _____

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

47 _____ ~~absence on election day from the jurisdiction of the election authority in which I am~~
 48 ~~registered;~~

49 _____ ~~incapacity or confinement due to illness or physical disability, including caring for a person~~
 50 ~~who is incapacitated or confined due to illness or disability;~~

51 _____ ~~religious belief or practice;~~

52 _____ ~~employment as an election authority or by an election authority at a location other than my~~
 53 ~~polling place;~~

~~_____ incarceration, although I have retained all the necessary qualifications for 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 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 or 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.

 Signature of Voter

 Signature of Person
 Assisting Voter
 (if applicable)

Signed _____

Subscribed and sworn
 to before me this

Signed _____

_____ 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 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
 sworn before me this

Signature of Voter

_____ day of

_____, _____

Address of Voter

 Signature of notary or
 other officer
 authorized to
 administer oaths

Mailing Address (if different)

Signature of Person
Assisting Voter

Address of Last
Missouri Residence
(if applicable)

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

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;~~

~~_____ incapacity or confinement due to illness or physical disability, including caring for a person who is incapacitated or confined due to illness or disability;~~

~~_____ 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.

Signature of Voter

Subscribed and sworn
to before me this
_____ day of
_____, _____

Address

Signature of notary or
other officer
authorized to
administer oaths

Signature of Person
Assisting Voter
(if applicable)

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

The voter needed assistance in marking the ballot and signing above, because of blindness, other physical disability, or inability to read or to read English. I marked the ballot enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other communication with the voter as to how he or she was to vote. The voter swore or affirmed the voter affidavit above and I then signed the voter's name and completed the other voter information above. Signed under the penalties of perjury.

Reason why voter needed assistance: _____

ASSISTING PERSON SIGN HERE

1. _____ (signature of assisting person)

2. _____ (assisting person's name printed)

3. _____ (assisting person's residence)

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

2 6. Notwithstanding any other provision of this section, any covered voter as defined in section
3 115.902 or persons who have declared themselves to be permanently disabled pursuant to section 115.284,
4 otherwise entitled to vote, shall not be required to obtain a notary seal or signature on his or her absentee
5 ballot.

6 7. Notwithstanding any other provision of this section or section 115.291 to the contrary, the
7 subscription, signature and seal of a notary or other officer authorized to administer oaths shall not be
8 required on any ballot, ballot envelope, or statement required by this section if the ~~[reason for the]~~ voter
9 voting absentee is ~~[due to the reasons established pursuant to subdivision (2) of subsection 1 of section~~
10 ~~115.277]~~ incapacitated or confined due to illness or physical disability, including a person who is primarily
11 responsible for the physical care of a person who is incapacitated or confined due to illness or physical
12 disability.

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

15 9. A notary public who charges more than the maximum fee specified or who charges or collects a
16 fee for notarizing the signature on any absentee ballot or absentee voter registration is guilty of official
17 misconduct."; and

18
19 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.