

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 731
100TH GENERAL ASSEMBLY

1426H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.277, 115.279, 115.283, 115.293, and 115.427, RSMo, and to enact in lieu thereof seven new sections relating to elections.

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

Section A. Sections 115.277, 115.279, 115.283, 115.293, and 115.427, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 115.277, 115.279, 115.283, 115.293, 115.427, 115.970, and 115.990, to read as follows:

- 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. Any registered voter who desires to vote an absentee ballot by submitting an application, in person, to the appropriate election authority shall be required to provide an appropriate form of voter identification or sign an affidavit as required under section 115.427** ~~[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;~~

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.

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

19 2. Any covered voter, as defined in section 115.275, who is eligible to register and vote
20 in this state may vote in any election for federal office, statewide office, state legislative office,
21 or statewide ballot initiatives by submitting a federal postcard application to apply to vote by
22 absentee ballot or by submitting a federal postcard application at the polling place even though
23 the person is not registered. A federal postcard application submitted by a covered voter
24 pursuant to this subsection shall also serve as a voter registration application under section
25 115.908 and the election authority shall, if satisfied that the applicant is entitled to register, place
26 the voter's name on the voter registration file. Each covered voter may vote by absentee ballot
27 or, upon submitting an affidavit that the person is qualified to vote in the election, may vote at
28 the person's polling place.

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

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

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

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

5 2. Each application shall be made to the election authority of the jurisdiction in which
6 the person is or would be registered. Each application shall be in writing and shall state the
7 applicant's name, address at which he or she is or would be registered, ~~[his or her reason for~~
8 ~~voting an absentee ballot,]~~ **whether the applicant is incapacitated or confined due to illness**
9 **or physical disability or is a person who is primarily responsible for the physical care of**
10 **a person who is incapacitated or confined due to illness or disability,** the address to which
11 the ballot is to be mailed, if mailing is requested, and for absent uniformed services and overseas
12 applicants, the applicant's email address if electronic transmission is requested. If ~~[the reason~~
13 ~~for the applicant voting absentee is due to the reasons established under subdivision (6) of~~
14 ~~subsection 1 of section 115.277,]~~ **the applicant is a certified participant in the address**

15 **confidentiality program established under sections 589.660 to 589.681 because of safety**
16 **concerns**, the applicant shall state the voter's identification information provided by the address
17 confidentiality program in lieu of the applicant's name, address at which he or she is or would
18 be registered, and address to which the ballot is to be mailed, if mailing is requested. Each
19 application to vote in a primary election shall also state which ballot the applicant wishes to
20 receive. If any application fails to designate a ballot, the election authority shall, within three
21 working days after receiving the application, notify the applicant by mail that it will be unable
22 to deliver an absentee ballot until the applicant designates which political party ballot he or she
23 wishes to receive. If the applicant does not respond to the request for political party designation,
24 the election authority is authorized to provide the voter with that part of the ballot for which no
25 political party designation is required.

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

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

43 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who
44 resides outside the boundaries of the United States or who is on active duty with the Armed
45 Forces of the United States or members of their immediate family living with them may request
46 an absentee ballot for both the primary and subsequent general election with one application.

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

50 (3) Notwithstanding any other law to the contrary, if a standard oath regarding material
 51 misstatements of fact is adopted for uniformed and overseas voters pursuant to the Help America
 52 Vote Act of 2002, the election authority shall accept such oath for voter registration, absentee
 53 ballot, or other election-related materials.

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

63 (5) As used in this section, the terms "absent uniformed services voter" and "overseas
 64 voter" shall have the meaning prescribed in 52 U.S.C. Section 20310, **as amended**.

65 6. An application for an absentee ballot by a new resident shall be submitted in person
 66 by the applicant in the office of the election authority in the election jurisdiction in which such
 67 applicant resides. The application shall be received by the election authority no later than 7:00
 68 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed
 69 in duplicate in the presence of the election authority or any authorized officer of the election
 70 authority, and in substantially the following form:

71 "STATE OF _____
 72 COUNTY OF _____, ss.

73 I, _____, do solemnly swear that:

74 (1) Before becoming a resident of this state, I resided at _____ (residence address)
 75 in _____ (town, township, village or city) of _____ County in the state of _____;

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

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

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

82 Signed _____

83 (Applicant)

84 _____

85 (Residence Address)

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

87 Signed _____

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

89 7. The election authority in whose office an application is filed pursuant to subsection
90 6 of this section shall immediately send a duplicate of such application to the appropriate official
91 of the state in which the new resident applicant last resided and shall file the original of such
92 application in its office.

93 8. An application for an absentee ballot by an intrastate new resident shall be made in
94 person by the applicant in the office of the election authority in the election jurisdiction in which
95 such applicant resides. The application shall be received by the election authority no later than
96 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit,
97 executed in duplicate in the presence of the election authority or an authorized officer of the
98 election authority, and in substantially the following form:

99 "STATE OF _____

100 COUNTY OF _____, ss.

101 I, _____, do solemnly swear that:

102 (1) Before becoming a resident of this election jurisdiction, I resided at _____
103 (residence address) in _____ (town, township, village or city) of _____ county in the state of
104 _____;

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

107 (3) I believe I am entitled pursuant to the laws of this state to vote in the election to
108 be held _____ (date);

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

112 Signed _____

113 (Applicant)

114 _____

115 (Residence Address)

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

117 Signed _____

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

119 9. An application for an absentee ballot by an interstate former resident shall be received
120 in the office of the election authority where the applicant was formerly registered by 5:00 p.m.
121 on the second Wednesday immediately prior to the election, unless the application is made in

122 person by the applicant in the office of the election authority, in which case such application shall
123 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 shall state
2 the voter's name, the voter's voting address, **and** the voter's mailing address [~~and the voter's~~
3 ~~reason for voting an absentee ballot. If the reason for the voter voting absentee is due to the~~
4 ~~reasons established under subdivision (6) of subsection 1 of section 115.277, the voter shall state~~
5 ~~the voter's identification information provided by the address confidentiality program in lieu of~~
6 ~~the applicant's name, voting address, and mailing address]. On the form, the voter shall also state~~
7 under penalties of perjury that the voter is qualified to vote in the election, that the voter has not
8 previously voted and will not vote again in the election, that the voter has personally marked the
9 voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to
10 mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under
11 the voter's supervision if the voter is unable to seal it, and that all information contained in the
12 statement is true. In addition, any person providing assistance to the absentee voter shall include
13 a statement on the envelope identifying the person providing assistance under penalties of
14 perjury. Persons authorized to vote only for federal and statewide officers shall also state their
15 former Missouri residence.

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

18 State of Missouri

19 County (City) of _____

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

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

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

27 _____ ~~religious belief or practice;~~

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

30 _____ ~~incarceration, although I have retained all the necessary qualifications for~~
31 ~~voting;~~

32 _____ ~~certified participation in the address confidentiality program established~~
33 ~~under sections 589.660 to 589.681 because of safety concerns;~~

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

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

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

55 State of Missouri
 56 County (City) of _____

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

62 I am (check one):
 63 _____ a resident of the state of Missouri and a registered voter in _____ County
 64 and moved from that county to _____ County, Missouri, after the last day to register to vote in
 65 this election.
 66 _____ an interstate former resident of Missouri and authorized to vote for
 67 presidential and vice presidential electors.

68 I further state under penalties of perjury that I have not voted and will not vote other than
 69 by this ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read

70 or write English, or physically incapable of marking the ballot, and the person of my choosing
71 indicated below marked the ballot at my direction; all of the information on this statement is, to
72 the best of my knowledge and belief, true.

73

74

Signature of Voter

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

75

76

77

78

79

Address of Voter

Signature of notary or
other officer authorized to
administer oaths

80

81

82

83

Mailing Address (if different)

84

85

86

87

88

Signature of Person

Address of Last

89

Assisting Voter

Missouri Residence

90

(if applicable)

91

92

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

95

State of Missouri

96

County (City) of _____

97

I, _____ (print name), declare under the penalties of perjury ~~[that I expect to be
98 prevented from going to the polls on election day due to (check one):~~

99

~~_____ absence on election day from the jurisdiction of the election authority in
100 which I am directed to vote;~~

101

~~_____ incapacity or confinement due to illness or physical disability, including
102 caring for a person who is incapacitated or confined due to illness or 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 established
109 under sections 589.660 to 589.681 because of safety concerns.

110 _____ I hereby state under penalties of perjury] that I own property in the _____ district and
111 am qualified to vote at this election; I have not voted and will not vote other than by this ballot
112 at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable
113 to read and write English, or physically incapable of marking the ballot, and the person of my
114 choosing indicated below marked the ballot at my direction; all of the information on this
115 statement is, to the best of my knowledge and belief, true.

116

117

118 _____
Subscribed and sworn

119 to before me this Signature of Voter _____ day of _____, _____

120

121

122 _____

123 _____

124 Address

Signature of notary or
other officer authorized to
administer oaths

125

126

127

128

129 _____
Signature of Person Assisting Voter
130 (if applicable)

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

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

139 Reason why voter needed assistance: _____

140

141 ASSISTING PERSON SIGN HERE

142

143 1. _____ (signature of assisting person)

144

145 2. _____ (assisting person's name printed)

146

147 3. _____ (assisting person's residence)

148

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

150

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

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

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

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

115.293. 1. All proper votes on each absentee ballot received by an election authority
 2 at or before the time fixed by law for the closing of the polls on election day shall be counted.
 3 Except as provided in section 115.920, no votes on any absentee ballot received by an election
 4 authority after the time fixed by law for the closing of the polls on election day shall be counted.

5 2. ~~[If sufficient evidence is shown to an election authority that any absentee voter has died~~
 6 ~~prior to the opening of the polls on election day, the ballot of the deceased voter shall be rejected~~
 7 ~~if it is still sealed in the ballot envelope. Any ballot so rejected, still sealed in its ballot envelope,~~
 8 ~~shall be sealed with the application and any other papers connected therewith in an envelope~~
 9 ~~marked "Rejected ballot of _____, an absentee voter of _____ voting district". The reason for~~
 10 ~~rejection shall be noted on the envelope, which shall be kept by the election authority with the~~
 11 ~~other ballots from the election until the ballots are destroyed according to law]~~ **All absentee**

12 **ballots that are properly cast shall be counted after the closing of the polls on election day.**
13 **If the voter who cast the absentee ballot dies between the time the ballot was cast and the**
14 **closing of the polls on election day, the ballot shall still be counted if the ballot is**
15 **postmarked or delivered in person to the election authority before the day of the voter's**
16 **death.**

115.427. 1. Persons seeking to vote in a public election shall establish their identity and
2 eligibility to vote at the polling place by presenting a form of personal identification to election
3 officials. No form of personal identification other than the forms listed in this section shall be
4 accepted to establish a voter's qualifications to vote. Forms of personal identification that satisfy
5 the requirements of this section are any one of the following:

- 6 (1) Nonexpired Missouri driver's license;
- 7 (2) Nonexpired or nonexpiring Missouri nondriver's license;
- 8 (3) A document that satisfies all of the following requirements:
 - 9 (a) The document contains the name of the individual to whom the document was issued,
10 and the name substantially conforms to the most recent signature in the individual's voter
11 registration record;
 - 12 (b) The document shows a photograph of the individual;
 - 13 (c) The document includes an expiration date, and the document is not expired, or, if
14 expired, the document expired after the date of the most recent general election; and
 - 15 (d) The document was issued by the United States or the state of Missouri; or
 - 16 (4) Any identification containing a photograph of the individual which is issued by the
17 Missouri National Guard, the United States Armed Forces, or the United States Department of
18 Veteran Affairs to a member or former member of the Missouri National Guard or the United
19 States Armed Forces and that is not expired or does not have an expiration date.

20 2. (1) An individual who appears at a polling place without a form of personal
21 identification described in subsection 1 of this section and who is otherwise qualified to vote at
22 that polling place may execute a statement~~[, under penalty of perjury,] averring that the~~
23 ~~individual is the person listed in the precinct register[; averring that the individual does not~~
24 ~~possess a form of personal identification described in subsection 1 of this section; acknowledging~~
25 ~~that the individual is eligible to receive a Missouri nondriver's license free of charge if desiring~~
26 ~~it in order to vote; and acknowledging that the individual is required to present a form of~~
27 ~~personal identification, as described in subsection 1 of this section, in order to vote] **and**~~
28 **understands that providing false information is a violation of law.** Such statement shall be
29 executed and sworn to before the election official receiving the statement. Upon executing such
30 statement, the individual may cast a regular ballot, provided such individual presents one of the
31 following forms of identification:

32 (a) Identification issued by the state of Missouri, an agency of the state, or a local
33 election authority of the state;

34 (b) Identification issued by the United States government or agency thereof;

35 (c) Identification issued by an institution of higher education, including a university,
36 college, vocational and technical school, located within the state of Missouri;

37 (d) A copy of a current utility bill, bank statement, government check, paycheck, or other
38 government document that contains the name and address of the individual;

39 (e) Other identification approved by the secretary of state under rules promulgated
40 pursuant to this section.

41 (2) For any individual who appears at a polling place without a form of personal
42 identification described in subsection 1 of this section and who is otherwise qualified to vote at
43 that polling place, the election authority may take a picture of such individual and keep it as part
44 of that individual's voter registration file at the election authority.

45 (3) Any individual who chooses not to execute the statement described in subdivision
46 (1) of this subsection may cast a provisional ballot. Such provisional ballot shall be counted,
47 provided that it meets the requirements of subsection 4 of this section.

48 (4) For the purposes of this section, the term "election official" shall include any person
49 working under the authority of the election authority.

50 3. The statement to be used for voting under subdivision (1) of subsection 2 of this
51 section shall be substantially in the following form:

52 "State of _____

53 County of _____

54 I do solemnly swear (or affirm) that my name is _____; that I reside at _____; that I
55 am the person listed in the precinct register under this name and at this address[; and that, under
56 penalty of perjury, I do not possess a form of personal identification approved for voting. As a
57 person who does not possess a form of personal identification approved for voting, I
58 acknowledge that I am eligible to receive free of charge a Missouri nondriver's license at any fee
59 office if desiring it in order to vote. I furthermore acknowledge that I am required to present a
60 form of personal identification, as prescribed by law, in order to vote].

61 I understand that knowingly providing false information is a violation of law and subjects
62 me to possible criminal prosecution.

63

64 _____

65

66 Signature of voter

67 Subscribed and affirmed before me this _____ day of _____, 20_____

68

69

70

71 Signature of election official"

72

73 4. A voter shall be allowed to cast a provisional ballot under section 115.430 even if the
74 election judges cannot establish the voter's identity under this section. The election judges shall
75 make a notation on the provisional ballot envelope to indicate that the voter's identity was not
76 verified. The provisional ballot cast by such voter shall not be counted unless:

76

(1) (a) The voter returns to the polling place during the uniform polling hours
77 established by section 115.407 and provides a form of personal identification that allows the
78 election judges to verify the voter's identity as provided in subsection 1 of this section; or

79

(b) The election authority verifies the identity of the individual by comparing that
80 individual's signature to the signature on file with the election authority and determines that the
81 individual was eligible to cast a ballot at the polling place where the ballot was cast; and

82

(2) The provisional ballot otherwise qualifies to be counted under section 115.430.

83

5. The secretary of state shall provide advance notice of the personal identification
84 requirements of subsection 1 of this section in a manner calculated to inform the public generally
85 of the requirement for forms of personal identification as provided in this section. Such advance
86 notice shall include, at a minimum, the use of advertisements and public service announcements
87 in print, broadcast television, radio, and cable television media, as well as the posting of
88 information on the opening pages of the official state internet websites of the secretary of state
89 and governor.

90

6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the
91 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any
92 otherwise qualified voter who does not already possess such identification and who desires the
93 identification in order to vote.

94

(2) This state and its agencies shall provide one copy of each of the following, free of
95 charge, if needed by an individual seeking to obtain a form of personal identification described
96 in subsection 1 of this section in order to vote:

97

(a) A birth certificate;

98

(b) A marriage license or certificate;

99

(c) A divorce decree;

100

(d) A certificate of decree of adoption;

101

(e) A court order changing the person's name;

102

(f) A Social Security card reflecting an updated name; and

103 (g) Naturalization papers or other documents from the United States Department of State
104 proving citizenship.

105

106 Any individual seeking one of the above documents in order to obtain a form of personal
107 identification described in subsection 1 of this section in order to vote may request the secretary
108 of state to facilitate the acquisition of such documents. The secretary of state shall pay any fee
109 or fees charged by another state or its agencies, or any court of competent jurisdiction in this state
110 or any other state, or the federal government or its agencies, in order to obtain any of the above
111 documents from such state or the federal government.

112 (3) All costs associated with the implementation of this section shall be reimbursed from
113 the general revenue of this state by an appropriation for that purpose. If there is not a sufficient
114 appropriation of state funds, then the personal identification requirements of subsection 1 of this
115 section shall not be enforced.

116 (4) Any applicant who requests a nondriver's license for the purpose of voting shall not
117 be required to pay a fee if the applicant executes a statement, under penalty of perjury, averring
118 that the applicant does not have any other form of personal identification that meets the
119 requirements of this section. The state of Missouri shall pay the legally required fees for any
120 such applicant. The director of the department of revenue shall design a statement to be used for
121 this purpose. The total cost associated with nondriver's license photo identification under this
122 subsection shall be borne by the state of Missouri from funds appropriated to the department of
123 revenue for that specific purpose. The department of revenue and a local election authority may
124 enter into a contract that allows the local election authority to assist the department in issuing
125 nondriver's license photo identifications.

126 7. The director of the department of revenue shall, by January first of each year, prepare
127 and deliver to each member of the general assembly a report documenting the number of
128 individuals who have requested and received a nondriver's license photo identification for the
129 purposes of voting under this section. The report shall also include the number of persons
130 requesting a nondriver's license for purposes of voting under this section, but not receiving such
131 license, and the reason for the denial of the nondriver's license.

132 8. The precinct register shall serve as the voter identification certificate. The following
133 form shall be printed at the top of each page of the precinct register:

134 VOTER'S IDENTIFICATION CERTIFICATE

135 Warning: It is against the law for anyone to vote, or attempt to vote, without having a
136 lawful right to vote.

137 PRECINCT

138 WARD OR TOWNSHIP _____

139 GENERAL (SPECIAL, PRIMARY) ELECTION

140 Held _____, 20_____

141 Date

142 I hereby certify that I am qualified to vote at this election by signing my name and
143 verifying my address by signing my initials next to my address.

144 9. The secretary of state shall promulgate rules to effectuate the provisions of this
145 section.

146 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
147 created under the authority delegated in this section shall become effective only if it complies
148 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
149 This section and chapter 536 are nonseverable and if any of the powers vested with the general
150 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and
151 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
152 any rule proposed or adopted after August 28, 2002, shall be invalid and void.

153 11. If any voter is unable to sign his name at the appropriate place on the certificate or
154 computer printout, an election judge shall print the name and address of the voter in the
155 appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and
156 the voter's mark shall be witnessed by the signature of an election judge.

157 12. This section shall become effective only upon the passage and approval by the voters
158 of a constitutional amendment submitted to them by the general assembly regarding the
159 authorization of photo identification requirements for elections by general law. If such
160 constitutional amendment is approved by the voters, this section shall become effective June 1,
161 2017.

**115.970. 1. Notwithstanding any other provision of law, the office of the secretary
2 of state shall establish a process to conduct automatic voter registration for individuals
3 finally discharged from probation, parole, or incarceration.**

4 **2. When an individual is finally discharged from probation, parole, or**
5 **incarceration and the discharge is non-conditional, the board of probation and parole**
6 **under chapter 217 shall submit to the secretary of state the individual's name; date of**
7 **birth; residence or place of voter registration prior to probation, parole, or incarceration;**
8 **and residence after discharge from probation, parole, or incarceration. The secretary of**
9 **state shall forward this information to the local election authority for inclusion on voter**
10 **registration lists, subject to the provisions of subsection 3 of this section.**

11 **3. The office of the secretary of state shall provide lists of nonbinding**
12 **recommendations for inclusion on voter registration lists to local election authorities, and**
13 **such authorities shall include such recommendations on voter registration lists subject to**

14 existing verification procedures for determining whether an individual is eligible to register
15 to vote and eligible to vote. Local election authorities shall retain full jurisdiction and
16 power to decline to register individuals not verified to be eligible to vote and to remove the
17 names of individuals who are no longer eligible to vote from voter registration lists.

18 4. Within sixty days of receipt of a proposed voter registration list, but prior to
19 including a recommended individual on a voter registration list, the local election authority
20 shall send notice of potential automatic registration, which shall include a paid postcard
21 for purposes of declining registration. If after a period of thirty days the postcard is not
22 returned to the local election authority, the individual's name shall be added to the voter
23 registration list; except that, any time a postcard is received, the individual's name shall
24 be removed from the voter registration list. This subsection shall not be construed to
25 prevent removal from voter registration lists by any other method allowed under this
26 chapter.

27 5. The provisions of this section allow for automatic voter registration in addition
28 to any other method of registration allowed under this chapter and shall not be interpreted
29 to invalidate any other method for voter registration.

30 6. The provisions of this section with regard to the secretary of state and local
31 election authorities shall be subject to the appropriation and payment of funds necessary
32 to conduct automatic voter registration and verification procedures.

33 7. The office of the secretary of state may promulgate all necessary rules for the
34 administration of this section. Any rule or portion of a rule, as that term is defined in
35 section 536.010, that is created under the authority delegated in this section shall become
36 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
37 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any
38 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
39 the effective date, or to disapprove and annul a rule are subsequently held
40 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
41 after August 28, 2019, shall be invalid and void.

115.990. 1. The secretary of state shall develop a course on proper methods for
2 registering voters for employees of state agencies that are required to offer voter
3 registration in conjunction with the services they provide.

4 2. Employees of state agencies shall complete this course before being allowed to
5 register voters in the course of their other duties.

6 3. The secretary of state may promulgate any rules or regulations necessary to
7 implement this section. Any rule or portion of a rule, as that term is defined in section
8 536.010, that is created under the authority delegated in this section shall become effective

9 only if it complies with and is subject to all of the provisions of chapter 536 and, if
10 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of
11 the powers vested with the general assembly pursuant to chapter 536 to review, to delay
12 the effective date, or to disapprove and annul a rule are subsequently held
13 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
14 after August 28, 2019, shall be invalid and void.

✓