

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 552, Page 12 - 18, Sections 115.277 and
2 115.283, Lines 1- 38 and 1 - 154, by removing all of said sections and lines from the bill and
3 inserting in lieu thereof the following:
4

5 "115.277. 1. (1) Except as provided in subsections 2, 3, 4, and 5 of this section, any
6 registered voter of this state may cast an absentee ballot in person at a location designated by the
7 election authority for all candidates and issues for which such voter is eligible to vote at the polling
8 place without providing a reason for the need to vote absentee. This shall include, but not be limited
9 to, any election that occurs during a state of emergency declared by the governor and during the year
10 2020, for the reason of avoiding the risk of contracting or transmitting severe acute respiratory
11 syndrome coronavirus 2

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

16 ~~[(1)]~~ (a) Absence on election day from the jurisdiction of the election authority in which
17 such voter is registered to vote;

18 ~~[(2)]~~ (b) Incapacity or confinement due to illness or physical disability, including a person
19 who is primarily responsible for the physical care of a person who is incapacitated or confined due
20 to illness or disability;

21 ~~[(3)]~~ (c) Religious belief or practice;

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

24 ~~[(5)]~~ (e) Incarceration, provided all qualifications for voting are retained;

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

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

36 3. Any interstate former resident~~[, as defined in section 115.275,]~~ may vote by absentee

Action Taken _____ Date _____

1 ballot for presidential and vice presidential electors.

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

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

10 115.279. 1. Application for an absentee ballot may be made by the applicant in person, or
11 by mail, or for the applicant, in person, by his or her guardian or a relative within the second degree
12 by consanguinity or affinity. The election authority shall accept applications by facsimile
13 transmission and by electronic mail within the limits of its telecommunications capacity.

14 2. Each application shall be made to the election authority of the jurisdiction in which the
15 person is or would be registered. Each application shall be in writing and shall state the applicant's
16 name, address at which he or she is or would be registered, his or her reason for voting an absentee
17 ballot, if casting an absentee ballot pursuant to subdivision (2) of subsection 1 of section 115.277,
18 the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed
19 services and overseas applicants, the applicant's email address if electronic transmission is
20 requested. If the reason for the applicant voting absentee is due to the reasons established under
21 paragraph (f) of subdivision [(6)] (2) of subsection 1 of section 115.277, the applicant shall state the
22 voter's identification information provided by the address confidentiality program in lieu of the
23 applicant's name, address at which he or she is or would be registered, and address to which the
24 ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall
25 also state which ballot the applicant wishes to receive. If any application fails to designate a ballot,
26 the election authority shall, within three working days after receiving the application, notify the
27 applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates
28 which political party ballot he or she wishes to receive. If the applicant does not respond to the
29 request for political party designation, the election authority is authorized to provide the voter with
30 that part of the ballot for which no political party designation is required.

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

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

48 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who
49 resides outside the boundaries of the United States or who is on active duty with the Armed Forces

1 of the United States or members of their immediate family living with them may request an absentee
2 ballot for both the primary and subsequent general election with one application.

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

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

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

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

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

26 "STATE OF _____
27 COUNTY OF _____, ss.

28 I, _____, do solemnly swear that:

- 29 (1) Before becoming a resident of this state, I resided at _____ (residence address) in
30 _____ (town, township, village or city) of _____ County in the state of _____;
31 (2) I moved to this state after the last day to register to vote in such general presidential
32 election and I am now residing in the county of _____, state of Missouri;
33 (3) I believe I am entitled pursuant to the laws of this state to vote in the presidential
34 election to be held November _____, _____ (year);
35 (4) I hereby make application for a presidential and vice presidential ballot. I have not
36 voted and shall not vote other than by this ballot at such election.

37 Signed _____
38 (Applicant)

39 _____
40 (Residence Address)

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

42 Signed _____
43 (Title and name of officer authorized to administer oaths)"

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

48 8. An application for an absentee ballot by an intrastate new resident shall be made in
49 person by the applicant in the office of the election authority in the election jurisdiction in which

such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or an authorized officer of the election authority, and in substantially the following form:

"STATE OF _____

COUNTY OF _____, ss.

I, _____, do solemnly swear that:

- (1) Before becoming a resident of this election jurisdiction, I resided at _____ (residence address) in _____ (town, township, village or city) of _____ county in the state of _____;
- (2) I moved to this election jurisdiction after the last day to register to vote in such election;
- (3) I believe I am entitled pursuant to the laws of this state to vote in the election to be held _____ (date);
- (4) I hereby make application for an absentee ballot for candidates and issues on which I am entitled to vote pursuant to the laws of this state. I have not voted and shall not vote other than by this ballot at such election.

Signed _____

(Applicant)

(Residence Address)

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

Signed _____

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

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

2. The statement for persons voting absentee ballots pursuant to subdivision (1) of subsection 1 of section 115.277 who are registered voters shall be in substantially the following form:

"State of Missouri

County (City) of _____

I, _____ (print name), a registered voter of _____ County (City of St. Louis, Kansas City), 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
_____ Signed	_____ to before me this
_____ Address of Voter	_____ day of _____, _____
_____ Mailing addresses (if different)	_____ Signature of notary or other officer authorized to administer oaths"

3. The statement for persons voting absentee ballots pursuant to subdivision (2) of subsection 1 of section 115.277 who are registered voters shall be in substantially the following form:

"State of Missouri

County (City) of _____

I, _____ (print name), a registered voter of _____ County (City of St. Louis, Kansas City), 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 registered;
- _____ 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 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
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1 (if applicable)
 2 Signed _____ Subscribed and sworn
 3 Signed _____ to before me this
 4 Address of Voter _____ day of _____, _____
 5 _____
 6 _____

7 Mailing addresses _____ Signature of notary or
 8 (if different) _____ other officer
 9 _____ authorized to
 10 _____ administer oaths"

11 [3.] 4. The statement for persons voting absentee ballots pursuant to the provisions of
 12 subsection 2, 3, 4, or 5 of section 115.277 without being registered shall be in substantially the
 13 following form:

14 "State of Missouri

15 County (City) of _____

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

22 I am (check one):

23 _____ a resident of the state of Missouri and a registered voter in _____ County
 24 and moved from that county to _____ County, Missouri, after the last day to
 25 register to vote in this election.

26 _____ an interstate former resident of Missouri and authorized to vote for
 27 presidential and vice presidential electors.

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

33 _____ Subscribed to and
 34 Signature of Voter _____ sworn before me this
 35 _____ day of
 36 _____, _____
 37 _____

38 _____
 39 Address of Voter _____ Signature of notary or
 40 _____ other officer
 41 _____ authorized to
 42 _____ administer oaths

43 _____
44 Mailing Address (if different) _____

45 _____
 46 Signature of Person _____ Address of Last
 47 Assisting Voter _____ Missouri Residence
 48 _____ (if applicable)"

49 [4.] 5. 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.

Subscribed and sworn

to before me this

Signature of Voter _____ day of

_____, _____

Address _____

Signature of notary or
other officer
authorized to
administer oaths

Signature of Person

Assisting Voter

(if applicable)"

~~[5.]~~ 6. 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)

- 1 2. _____ (assisting person's name printed)
 2 3. _____ (assisting person's residence)
 3 4. _____ (assisting person's home city or town)."

4 [6.] 7. Notwithstanding any other provision of this section, any covered voter as defined in
 5 section 115.902 or persons who have declared themselves to be permanently disabled pursuant to
 6 section 115.284, otherwise entitled to vote, shall not be required to obtain a notary seal or signature
 7 on his or her absentee ballot.

8 [7.] 8. Notwithstanding any other provision of this section or section 115.291 to the
 9 contrary, the subscription, signature and seal of a notary or other officer authorized to administer
 10 oaths shall not be required on any ballot, ballot envelope, or statement required by this section if the
 11 reason for the voter voting absentee is due to the reasons established pursuant to paragraph (b) of
 12 subdivision (2) of subsection 1 of section 115.277.

13 [8.] 9. No notary shall charge or collect a fee for notarizing the signature on any absentee
 14 ballot or absentee voter registration.

15 [9.] 10. A notary public who charges more than the maximum fee specified or who charges
 16 or collects a fee for notarizing the signature on any absentee ballot or absentee voter registration is
 17 guilty of official misconduct."; and
 18

19 Further amend said bill, Page 33, Section 115.637, Line 77, by inserting after the phrase "election
 20 day" on said line the following:

21
 22 "election day;

23 (20) On the part of any initiative or referendum petition circulator, gathering signatures
 24 within one hundred feet of a polling place for any statewide ballot measure, as that term is defined
 25 in section 116.010, that is approved for circulation pursuant to chapter 116."; and
 26

27 Further amend said bill, Page 48, Section 1, Lines 2 and 8, by inserting immediately after the phrase
 28 "115.277," on said lines the phrase "115.279,"; and
 29

30 Further amend said bill, Page 48, Section C, Lines 2 and 5, by inserting immediately after the phrase
 31 "115.277" on said lines the phrase ", 115.279,"; and
 32

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