

FIRST REGULAR SESSION

HOUSE BILL NO. 1065

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

0616H.03I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.031, 115.085, 115.105, 115.123, 115.157, 115.205, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.289, 115.291, 115.302, 115.349, 115.351, 115.427, 115.435, 115.637, 115.652, 115.755, 115.758, 115.761, 115.765, 115.767, 115.770, 115.773, 115.776, 115.785, and 115.904, RSMo, and to enact in lieu thereof twenty-four new sections relating to elections, with penalty provisions.

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

Section A. Sections 115.031, 115.085, 115.105, 115.123, 115.157, 115.205, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.289, 115.291, 115.302, 115.349, 115.351, 115.427, 115.435, 115.637, 115.652, 115.755, 115.758, 115.761, 115.765, 115.767, 115.770, 115.773, 115.776, 115.785, and 115.904, RSMo, are repealed and twenty-four new sections enacted in lieu thereof, to be known as sections 115.031, 115.085, 115.105, 115.123, 115.157, 115.205, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.289, 115.291, 115.349, 115.351, 115.427, 115.435, 115.637, 115.652, and 115.904, to read as follows:

115.031. Each election commissioner shall be a registered voter and a resident of the jurisdiction for which he is appointed ~~[for at least one year preceding his appointment]~~. During his term of office, no commissioner shall hold any statutory position within a political party or on a political committee, be a candidate for political office or hold any other public office.

115.085. No person shall be appointed to serve as an election judge who is not a registered voter in this state; provided that, ~~[before]~~ any election authority may appoint judges who are registered voters of another election authority's jurisdiction~~[-the election authority shall~~

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.

4 ~~obtain the written consent of the election authority for the jurisdiction where the prospective~~
5 ~~judges are registered to vote].~~ Each election judge shall be a person of good repute and character
6 who can speak, read, and write the English language. No person shall serve as an election judge
7 at any polling place in which his or her name or the name of a relative within the second degree,
8 by consanguinity or affinity, appears on the ballot. However, no relative of any unopposed
9 candidate shall be disqualified from serving as an election judge in any election jurisdiction of
10 the state. No election judge shall, during his or her term of office, hold any other elective public
11 office, other than as a member of a political party committee or township office, except any
12 person who is elected to a board or commission of a political subdivision or special district may
13 serve as an election judge except at a polling place where such political subdivision or special
14 district has an issue or candidate on the ballot. In any county having a population of less than
15 two hundred fifty thousand inhabitants, any candidate for the county committee of a political
16 party who is not a candidate for any other office and who is unopposed for election as a member
17 of the committee shall not be disqualified from serving as an election judge.

115.105. 1. The chair of the county committee of each political party named on the
2 ballot shall have the right to designate a challenger for each polling place, who may be present
3 until all ballots are cast on the day of election, and a challenger for each location at which
4 absentee ballots are counted, who may be present while the ballots are being prepared for
5 counting and counted. No later than four business days before the election, the chair of each
6 county committee of each political party named on the ballot shall provide signed official
7 designation forms with the names of the designated challengers and substitutes to the local
8 election authority for confirmation of eligibility to serve as a challenger. The local election
9 authority, after verifying the eligibility of each designated and substitute challenger, shall sign
10 off on the official designation forms, unless the challenger is found not to have the qualifications
11 established by subsection 5 of this section. If the election authority determines that a challenger
12 does not meet the qualifications of subsection 5 of this section, the designating party chair may
13 designate a replacement challenger and provide the local election authority with the name of the
14 replacement challenger before 5:00 p.m. of the Monday preceding the election. The designating
15 chair may substitute challengers at his or her discretion during such hours.

16 2. Challenges may only be made when the challenger believes the election laws of this
17 state have been or will be violated, and each challenger shall report any such belief to the
18 election judges, or to the election authority if not satisfied with the decision of the election
19 judges.

20 3. Prior to the close of the polls, challengers may list and give out the names of those
21 who have voted. The listing and giving out of names of those who have voted by a challenger
22 shall not be considered giving information tending to show the state of the count.

23 4. ~~[In a presidential primary election, challengers may collect information about the party~~
24 ~~ballot selected by the voter and may disclose party affiliation information after the polls close.~~
25 ~~———5.]~~ All persons selected as challengers shall have the same qualifications required by
26 section 115.085 for election judges, except that such challenger shall be a registered voter in the
27 jurisdiction of the election authority for which the challenger is designated as a challenger.

28 ~~[6.]~~ 5. Any challenge by a challenger to a voter's identification for validity shall be made
29 only to the election judges or other election authority. If the poll challenger is not satisfied with
30 the decision of the election judges, then he or she may report his or her belief that the election
31 laws of this state have been or will be violated to the election authority as allowed under this
32 section.

 115.123. 1. All public elections shall be held on Tuesday. Except as provided in
2 subsections 2 and 3 of this section, and section 247.180, all public elections shall be held on the
3 general election day, the primary election day, the general municipal election day, the first
4 Tuesday after the first Monday in November, or on another day expressly provided by city or
5 county charter, and in nonprimary years on the first Tuesday after the first Monday in August.
6 Bond elections may be held on the first Tuesday after the first Monday in February but no other
7 issue shall be included on the ballot for such election.

8 2. ~~[Notwithstanding the provisions of subsection 1 of this section, an election for a~~
9 ~~presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the second~~
10 ~~Tuesday after the first Monday in March of each presidential election year.~~

11 ~~———3.]~~ The following elections shall be exempt from the provisions of subsection 1 of this
12 section:

- 13 (1) Bond elections necessitated by fire, vandalism or natural disaster;
14 (2) Elections for which ownership of real property is required by law for voting;
15 (3) Special elections to fill vacancies and to decide tie votes or election contests; and
16 (4) Tax elections necessitated by a financial hardship due to a five percent or greater
17 decline in per-pupil state revenue to a school district from the previous year.

18 ~~[4.]~~ 3. Nothing in this section prohibits a charter city or county from having its primary
19 election in March if the charter provided for a March primary before August 28, 1999.

20 ~~[5.]~~ 4. Nothing in this section shall prohibit elections held pursuant to section 65.600,
21 but no other issues shall be on the March ballot except pursuant to this chapter.

 115.157. 1. The election authority may place all information on any registration cards
2 in computerized form in accordance with section 115.158. No election authority or secretary of
3 state shall furnish to any member of the public electronic media or printout showing any
4 registration information, except as provided in this section. Except as provided in subsection 2
5 of this section, the election authority or secretary of state shall make available electronic media

6 or printouts showing **only** unique voter identification numbers, voters' names, ~~[dates of birth,]~~
7 addresses, townships or wards, and precincts. Electronic data shall be maintained in at least the
8 following separate fields:

- 9 (1) Voter identification number;
- 10 (2) First name;
- 11 (3) Middle initial;
- 12 (4) Last name;
- 13 (5) Suffix;
- 14 (6) Street number;
- 15 (7) Street direction;
- 16 (8) Street name;
- 17 (9) Street suffix;
- 18 (10) Apartment number;
- 19 (11) City;
- 20 (12) State;
- 21 (13) Zip code;
- 22 (14) Township;
- 23 (15) Ward;
- 24 (16) Precinct;
- 25 (17) Senatorial district;
- 26 (18) Representative district;
- 27 (19) Congressional district.

28 2. All election authorities shall enter voter history in their computerized registration
29 systems and shall, not more than six months after the election, forward such data to the Missouri
30 voter registration system established in section 115.158. In addition, election authorities shall
31 forward registration and other data in a manner prescribed by the secretary of state to comply
32 with the Help America Vote Act of 2002.

33 3. Except as provided in subsection 6 of this section, the election authority shall furnish,
34 for a fee, electronic media or a printout showing **only** the names~~], dates of birth]~~ and addresses
35 of voters, or any part thereof, within the jurisdiction of the election authority who voted in any
36 specific election, including primary elections, by township, ward or precinct, provided that
37 nothing in this chapter shall require such voter information to be released to the public over the
38 internet **and is not to be used for commercial purposes.**

39 4. ~~[Except as provided in subsection 6 of this section, upon a request by a candidate, a~~
40 ~~duly authorized representative of a campaign committee, or a political party committee, the~~
41 ~~secretary of state shall furnish, for a fee determined by the secretary of state and in compliance~~

42 ~~with section 610.026, media in an electronic format or, if so requested, in a printed format,~~
43 ~~showing the names, addresses, and voter identification numbers of voters within the jurisdiction~~
44 ~~of a specific election authority who applied for an absentee ballot under section 115.279 for any~~
45 ~~specific election involving a ballot measure or an office for which the declaration of candidacy~~
46 ~~is required to be filed with the secretary of state pursuant to section 115.353, including primary~~
47 ~~elections, by township, ward, or precinct. Nothing in this section shall require such voter~~
48 ~~information to be released to the public over the internet. For purposes of this section, the terms~~
49 ~~"candidate", "campaign committee", and "political party committee" shall have the same~~
50 ~~meaning given to such terms in section 130.011.~~

51 ~~———5.] The amount of fees charged for information provided in this section shall be~~
52 ~~established pursuant to chapter 610. All revenues collected by the secretary of state pursuant to~~
53 ~~this section shall be deposited in the state treasury and credited to the secretary of state's~~
54 ~~technology trust fund account established pursuant to section 28.160. [In even-numbered years,~~
55 ~~each election authority shall, upon request, supply the voter registration list for its jurisdiction~~
56 ~~to all candidates and party committees for a charge established pursuant to chapter 610. Except~~
57 ~~as provided in subsection 6 of this section, all election authorities shall make the information~~
58 ~~described in this section available pursuant to chapter 610. Any election authority who fails to~~
59 ~~comply with the requirements of this section shall be subject to the provisions of chapter 610.]~~

60 [6.] 5. Any person working as an undercover officer of a local, state or federal law
61 enforcement agency, persons in witness protection programs, and victims of domestic violence
62 and abuse who have received orders of protection pursuant to chapter 455 shall be entitled to
63 apply to the circuit court having jurisdiction in his or her county of residence to have the
64 residential address on his or her voter registration records closed to the public if the release of
65 such information could endanger the safety of the person. Any person working as an undercover
66 agent or in a witness protection program shall also submit a statement from the chief executive
67 officer of the agency under whose direction he or she is serving. The petition to close the
68 residential address shall be incorporated into any petition for protective order provided by circuit
69 clerks pursuant to chapter 455. If satisfied that the person filing the petition meets the
70 qualifications of this subsection, the circuit court shall issue an order to the election authority to
71 keep the residential address of the voter a closed record and the address may be used only for the
72 purposes of administering elections pursuant to this chapter. The election authority may require
73 the voter who has a closed residential address record to verify that his or her residential address
74 has not changed or to file a change of address and to affirm that the reasons contained in the
75 original petition are still accurate prior to receiving a ballot. A change of address within an
76 election authority's jurisdiction shall not require that the voter file a new petition. Any voter who
77 no longer qualifies pursuant to this subsection to have his or her residential address as a closed

78 record shall notify the circuit court. Upon such notification, the circuit court shall void the order
79 closing the residential address and so notify the election authority.

115.205. 1. ~~[Any]~~ **No person [who is] shall be** paid or otherwise compensated for
2 soliciting ~~[more than ten]~~ voter registration applications, other than a governmental entity or a
3 person who is paid or compensated by a governmental entity for such solicitation~~[, shall be~~
4 ~~registered with the secretary of state as a voter registration solicitor]~~. A voter registration
5 solicitor **who solicits more than ten voter registration applications** shall register for every
6 election cycle that begins on the day after the general election and ends on the day of the general
7 election two years later. A voter registration solicitor shall be at least eighteen years of age and
8 shall be a registered voter in the state of Missouri.

9 2. Each voter registration solicitor shall provide the following information in writing to
10 the secretary of state's office:

- 11 (1) The name of the voter registration solicitor;
- 12 (2) The residential address, including street number, city, state, and zip code;
- 13 (3) The mailing address, if different from the residential address; **and**
- 14 (4) ~~[Whether the voter registration solicitor expects to be paid for soliciting voter~~
15 ~~registrations;~~
- 16 ~~_____ (5) If the voter registration solicitor expects to be paid, the identity of the payor; or~~
17 ~~_____ (6)] The signature of the voter registration solicitor.~~

18 3. The solicitor information required in subsection 2 of this section shall be submitted
19 to the secretary of state's office with the following oath and affirmation: "I HEREBY SWEAR
20 OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME
21 ARE TRUE AND CORRECT."

22 4. Any voter registration solicitor who knowingly fails to register with the secretary of
23 state is guilty of a class three election offense. Voter registration applications shall be accepted
24 by the election authority if such applications are otherwise valid, even if the voter registration
25 solicitor who procured the applications fails to register with or submits false information to the
26 secretary of state.

115.237. 1. Each ballot printed or designed for use with an electronic voting system for
2 any election pursuant to this chapter shall contain all questions and the names of all offices and
3 candidates certified or filed pursuant to this chapter and no other. As far as practicable, all
4 questions and the names of all offices and candidates for which each voter is entitled to vote shall
5 be printed on one page except for the ballot for political party committee persons in polling
6 places not utilizing an electronic voting system which may be printed separately and in
7 conformity with the requirements contained in this section. As far as practicable, ballots
8 containing only questions and the names of nonpartisan offices and candidates shall be printed

9 in accordance with the provisions of this section, except that the ballot information may be listed
10 in vertical or horizontal rows. The names of candidates for each office shall be listed in the order
11 in which they are filed.

12 2. In polling places using electronic voting systems, the ballot information may be
13 arranged in vertical or horizontal rows or on a number of separate pages or screens. In any event,
14 the name of each candidate, the candidate's party, the office for which he or she is a candidate,
15 and each question shall be indicated clearly on the ballot.

16 3. Nothing in this subchapter shall be construed as prohibiting the use of a separate paper
17 ballot for questions ~~[or for the presidential preference primary]~~ in any polling place using an
18 electronic voting system.

19 4. Where electronic voting systems are used and when write-in votes are authorized by
20 law, a write-in ballot, which may be in the form of a separate paper ballot, card, or envelope, may
21 be provided by the election authority to permit each voter to write in the names of persons whose
22 names do not appear on the ballot.

23 5. No ballot printed or designed for use with an electronic voting system for any partisan
24 election held under this chapter shall allow a person to vote a straight political party ticket. For
25 purposes of this subsection, a "straight political party ticket" means voting for all of the
26 candidates for elective office who are on the ballot representing a single political party by a
27 single selection on the ballot.

28 6. The secretary of state shall promulgate rules that specify uniform standards for ballot
29 layout for each electronic or computerized ballot counting system approved under the provisions
30 of section 115.225 so that the ballot used with any counting system is, where possible, consistent
31 with the intent of this section. Nothing in this section shall be construed to require the format
32 specified in this section if it does not meet the requirements of the ballot counting system used
33 by the election authority.

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

115.257. 1. In jurisdictions where electronic voting machines are used, the election
2 authority shall cause the voting machines to be put in order, set, adjusted and made ready for
3 voting before they are delivered to polling places.

2. At least five days before preparing electronic voting machines for any election, notice of the time and place of such preparation shall be mailed to each independent candidate and the chairman of the county committee of each established political party named on the ballot. The preparation shall be watched by two observers designated by the election authority, one from each major political party, and shall be open to representatives of the political parties, candidates, the news media and the public.

3. When an electronic voting machine has been examined by such observers and shown to be in good working order, the machine shall be locked against voting. The observers shall certify the vote count on each machine is set at zero.

4. After an electronic voting machine has been properly prepared and locked, its keys shall be retained by the election authority and delivered to the election judges along with the other election supplies.

5. For the purpose of processing absentee ballots, cast by voters in person in the office of the election authority **that is deemed a designated polling place**, the election authority ~~may~~ **shall** cause voting machines, **if used**, to be put in order, set, adjusted, tested, and made ready for voting within one business day of the printing of absentee ballots as provided in section 115.281. The election authority shall have the recording counter except for the protective counter on the voting machine set to zero (000). After the voting machines have been made ready for voting, the election authority shall not permit any person to handle any voting machine, except voters while they are voting and others expressly authorized by the election authority. The election authority shall neither be nor permit any other person to be in any position or near any position that enables the authority or person to see how any absentee voter votes or has voted.

6. Nothing in this section shall prohibit the on-site storage of electronic voting machines and the preparation of the electronic machines for voting, provided the electronic voting machines are put in order, set, adjusted and made ready for voting as provided in subsections 1, 2, 3, 4, and 5 of this section.

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

(1) "Absentee ballot", any ~~[of the ballots]~~ **ballot** a person is authorized to cast away from a polling place **or in the office of the election authority or other authorized location designated by the election authority** pursuant to the provisions of sections 115.275 to 115.304;

(2) "Covered voter":

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

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

(c) An overseas voter;

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

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

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

18 (3) "Interstate former resident", a former resident and registered voter in this state who
19 moves from Missouri to another state after the deadline to register to vote in any presidential
20 election in the new state and who otherwise possesses the qualifications to register and vote in
21 such state;

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

26 (5) "New resident", a person who moves to this state after the last date authorized in this
27 chapter to register to vote in any presidential election;

28 (6) "Overseas voter":

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

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

34 (7) "Uniformed services":

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

37 (b) The Merchant Marine, the commissioned corps of the Public Health Service, or the
38 commissioned corps of the National Oceanic and Atmospheric Administration of the United
39 States; or

40 (c) The Missouri National Guard;

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

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

44 (b) A member of the Merchant Marine, the commissioned corps of the Public Health
45 Service, or the commissioned corps of the National Oceanic and Atmospheric Administration
46 of the United States;

- 47 (c) A member on activated status of the National Guard; or
48 (d) A spouse or dependent of a member referred to in this subdivision;
49 (9) "United States", used in the territorial sense, the several states, the District of
50 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession
51 subject to the jurisdiction of the United States.

115.277. 1. **Beginning on the third Tuesday before the date of the election, except
2 as provided in subsections 2, 3, 4, and 5 of this section, any registered voter of this state
3 may cast an absentee ballot in person at a location designated by the election authority for
4 all candidates and issues for which such voter is eligible to vote at the polling place without
5 providing a reason for the need to vote absentee. Any registered voter casting a ballot
6 under the provisions of this subdivision shall provide photo identification.**

7 2. Except as provided in subsections 2, 3, 4, and 5 of this section, any registered voter
8 of this state may ~~[vote by]~~ **cast an** absentee ballot for all candidates and issues for which such
9 voter would be eligible to vote at the polling place if such voter expects to be prevented from
10 going to the polls to vote on election day ~~[due to:]~~ . **Any absentee ballot that is not requested
11 and completed in person with photo identification at the office of the election authority
12 shall be notarized, except that absentee ballots requested under subdivisions (2) and (5) of
13 this subsection shall not require notarization. A voter may request an absentee ballot for
14 any of the following reasons:**

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

17 (2) **Temporary** incapacity or confinement due to illness or physical disability, including
18 a person who is primarily responsible for the physical care of a person who is incapacitated or
19 confined due to illness or disability **and resides at the same address;**

20 (3) Religious belief or practice;

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

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

24 (6) Certified participation in the address confidentiality program established under
25 sections 589.660 to 589.681 because of safety concerns~~;~~ ~~or~~

26 ~~—— (7) For an election that occurs during the year 2020, the voter has contracted or is in an
27 at-risk category for contracting or transmitting severe acute respiratory syndrome coronavirus
28 2. This subdivision shall expire on December 31, 2020].~~

29 ~~[2-]~~ 3. Any covered voter who is eligible to register and vote in this state may vote in any
30 election for federal office, statewide office, state legislative office, or statewide ballot initiatives
31 by submitting a federal postcard application to apply to vote by absentee ballot or by submitting

32 a federal postcard application at the polling place even though the person is not registered. A
33 federal postcard application submitted by a covered voter pursuant to this subsection shall also
34 serve as a voter registration application under section 115.908 and the election authority shall,
35 if satisfied that the applicant is entitled to register, place the voter's name on the voter registration
36 file. Each covered voter may vote by absentee ballot or, upon submitting an affidavit that the
37 person is qualified to vote in the election, may vote at the person's polling place.

38 [3-] 4. Any interstate former resident may vote by absentee ballot for presidential and
39 vice presidential electors.

40 [4-] 5. Any intrastate new resident may vote by absentee ballot at the election for
41 presidential and vice presidential electors, United States senator, representative in Congress,
42 statewide elected officials and statewide questions, propositions and amendments from such
43 resident's new jurisdiction of residence after registering to vote in such resident's new jurisdiction
44 of residence.

45 [5-] 6. Any new resident may vote by absentee ballot for presidential and vice
46 presidential electors after registering to vote in such resident's new jurisdiction of residence.

47 ~~[6- For purposes of this section, the voters who are in an at-risk category for contracting~~
48 ~~or transmitting severe acute respiratory syndrome coronavirus 2 are voters who:~~

- 49 ~~—— (1) Are sixty-five years of age or older;~~
50 ~~—— (2) Live in a long-term care facility licensed under chapter 198;~~
51 ~~—— (3) Have chronic lung disease or moderate to severe asthma;~~
52 ~~—— (4) Have serious heart conditions;~~
53 ~~—— (5) Are immunocompromised;~~
54 ~~—— (6) Have diabetes;~~
55 ~~—— (7) Have chronic kidney disease and are undergoing dialysis; or~~
56 ~~—— (8) Have liver disease.]~~

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, **if casting an absentee ballot under subsection 2 of section 115.277,**
9 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
11 requested. If the reason for the applicant voting absentee is due to the reasons established under

12 subdivision (6) of subsection ~~[4]~~ **2** of section 115.277, the applicant shall state the voter's
13 identification information provided by the address confidentiality program in lieu of the
14 applicant's name, address at which he or she is or would be registered, and address to which the
15 ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall
16 also state which ballot the applicant wishes to receive. If any application fails to designate a
17 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
19 designates which political party ballot he or she wishes to receive. If the applicant does not
20 respond to the request for political party designation, the election authority is authorized to
21 provide the voter with that part of the ballot for which no political party designation is required.

22 3. ~~[Except as provided in subsection 3 of section 115.281,]~~ All applications for absentee
23 ballots received prior to the sixth Tuesday before an election shall be stored at the office of the
24 election authority until such time as the applications are processed in accordance with section
25 115.281. No application for an absentee ballot received in the office of the election authority by
26 mail, by facsimile transmission, by electronic mail, or by a guardian or relative after 5:00 p.m.
27 on the second Wednesday immediately prior to the election shall be accepted by any election
28 authority. No application for an absentee ballot submitted by the applicant in person after 5:00
29 p.m. on the day before the election shall be accepted by any election authority, except as
30 provided in subsections 6, 8 and 9 of this section.

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

39 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who
40 resides outside the boundaries of the United States or who is on active duty with the Armed
41 Forces of the United States or members of their immediate family living with them may request
42 an absentee ballot for both the primary and subsequent general election with one application.

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

46 (3) Notwithstanding any other law to the contrary, if a standard oath regarding material
47 misstatements of fact is adopted for uniformed and overseas voters pursuant to the Help America

48 Vote Act of 2002, the election authority shall accept such oath for voter registration, absentee
49 ballot, or other election-related materials.

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

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

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

67 "STATE OF _____
68 COUNTY OF _____, ss.

69 I, _____, do solemnly swear that:

- 70 (1) Before becoming a resident of this state, I resided at _____ (residence address)
71 in _____ (town, township, village or city) of _____ County in the state of
72 _____;
73 (2) I moved to this state after the last day to register to vote in such general
74 presidential election and I am now residing in the county of _____, state of
75 Missouri;
76 (3) I believe I am entitled pursuant to the laws of this state to vote in the presidential
77 election to be held November _____, _____ (year);
78 (4) I hereby make application for a presidential and vice presidential ballot. I have
79 not voted and shall not vote other than by this ballot at such election.

80 Signed _____

81 (Applicant)

82 _____

83 (Residence Address)

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

85 Signed _____

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

87 7. The election authority in whose office an application is filed pursuant to subsection
88 6 of this section shall immediately send a duplicate of such application to the appropriate official
89 of the state in which the new resident applicant last resided and shall file the original of such
90 application in its office.

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

97 "STATE OF _____

98 COUNTY OF _____, ss.

99 I, _____, do solemnly swear that:

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

110 Signed _____

111 (Applicant)

112 _____

113 (Residence Address)

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

115 Signed _____

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

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

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

17 2. **The statement for persons voting absentee ballots under subsection 1 of section**
 18 **115.277 who are registered voters shall be in substantially the following form:**

19 "State of Missouri

20 County (City) of _____

21 I, _____ (print name), a registered voter of _____ County (City of St. Louis,
 22 Kansas City), hereby state under penalties of perjury that I am qualified to vote at
 23 this election; I have not voted and will not vote other than by this ballot at this
 24 election. I further state that I marked the enclosed ballot in secret or that I am
 25 blind, unable to read or write English, or physically incapable of marking the
 26 ballot, and the person of my choosing, indicated below, marked the ballot at my
 27 direction; all of the information on this statement is, to the best of my knowledge
 28 and belief, true.

29 _____
 30 Signature of Voter

 Signature of Person

31 _____
 32 Assisting Voter
 (if applicable)

33 Signed _____

Subscribed and sworn
 to before me this

34 Signed _____

35 **Address of Voter** _____ day of _____, _____

36

37

38 **Mailing addresses**
39 **(if different)**

40
41 **Signature of notary or**
other officer
authorized to
administer oaths"

3. The statement for persons voting absentee ballots **under subsection 2 of section 115.277** and who are registered voters shall be in substantially the following form:

44

45 "State of Missouri

46 County (City) of _____

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

50 _____ absence on election day from the jurisdiction of the election authority in
51 which I am registered;

_____ **temporary** incapacity or confinement due to illness or physical disability,
including caring for a person who is incapacitated or confined due to illness or disability **and**
resides at the same address;

55 religious belief or practice;

56 _____ employment as an election authority or by an election authority at a
57 location other than my polling place;

58 _____ incarceration, although I have retained all the necessary qualifications for
59 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.

68

69 Signature of Voter Signature of Person

70 Assisting Voter

71 (if applicable)
 72 Signed _____ Subscribed and sworn
 73 Signed _____ to before me this
 74 Address of Voter _____ day of _____,
 75 _____
 76 _____
 77 Mailing addresses Signature of notary or
 78 (if different) other officer
 79 authorized to
 80 administer oaths"
 81

82 [3-] 4. The statement for persons voting absentee ballots pursuant to the provisions of
 83 subsection [2-] 3, 4, [ø-] 5, or 6 of section 115.277 without being registered shall be in
 84 substantially the following form:
 85

86 State of Missouri
 87 County (City) of _____

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

93 I am (check one):

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

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

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

104 _____ Subscribed to and
 105 Signature of Voter sworn before me this
 106 _____ day of

107 _____,
 108 _____
 109 _____
 110 Address of Voter Signature of notary or
 111 other officer
 112 authorized to
 113 administer oaths
 114 _____
 115 Mailing Address (if different) _____
 116 _____
 117 _____
 118 Signature of Person Address of Last
 119 Assisting Voter Missouri Residence
 120 (if applicable)
 121

122 [4.] 5. The statement for persons voting absentee ballots who are entitled to vote at the
 123 election pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially
 124 the following form:
 125

126 State of Missouri
 127 County (City) of _____
 128 I, _____ (print name), declare under the penalties of perjury that I expect to be prevented
 129 from going to the polls on election day due to (check one):
 130 _____ absence on election day from the jurisdiction of the election authority in
 131 which I am directed to vote;
 132 _____ **temporary** incapacity or confinement due to illness or physical disability,
 133 including caring for a person who is incapacitated or confined due to illness or disability **and**
 134 **resides at the same address;**
 135 _____ religious belief or practice;
 136 _____ employment as an election authority or by an election authority at a
 137 location other than my polling place;
 138 _____ incarceration, although I have retained all the necessary qualifications of
 139 voting;
 140 _____ certified participation in the address confidentiality program established
 141 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-]~~ 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)
2. _____ (assisting person's name printed)
3. _____ (assisting person's residence)
4. _____ (assisting person's home city or town).

~~[6. The election authority shall, for an election held during 2020, adjust the forms described in this section to account for voters voting absentee due to the reason established pursuant to subdivision (7) of subsection 1 of section 115.277.]~~

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

8. Notwithstanding any other provision of this section or section 115.291 to the contrary, the subscription, signature and seal of a notary or other officer authorized to administer oaths shall not be required on any ballot, ballot envelope, or statement required by this section if the reason for the voter voting absentee is due to the reasons established pursuant to subdivision (2) or (7) of subsection [4] 2 of section 115.277.

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

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

115.285. The secretary of state may prescribe uniform regulations with respect to the printing of ballot envelopes and mailing envelopes, which shall comply with standards established by federal law or postal regulations. Mailing envelopes for use in returning ballots shall be printed with business reply permits so that any ballot returned by mail does not require postage. All fees and costs for establishing and maintaining the business reply and postage-free mail for all ballots cast shall be paid by the secretary of state through state appropriations. ~~[Notwithstanding any provision of law to the contrary, a ballot envelope used under section 115.302 shall be the same ballot envelope used for absentee ballots, provided an option shall be listed on the envelope to clearly indicate whether the voter is casting an absentee ballot or a mail-in ballot.]~~

115.286. Absentee ballots under sections 115.275 to 115.304 received by the election authority in person or other authorized location designated by the election authority are deemed cast when received prior to election day. Absentee ballots received by the election authority through a common carrier such as the United States Postal Service or through an authorized drop box provided by the election authority are deemed cast when received prior to the time fixed by law for the closing of the polls on election day.

115.287. 1. Upon receipt of a signed application for an absentee ballot and if satisfied the applicant is entitled to vote by absentee ballot, the election authority shall, within three working days after receiving the application, or if absentee ballots are not available at the time

4 the application is received, within five working days after they become available, deliver to the
5 voter an absentee ballot, ballot envelope and such instructions as are necessary for the applicant
6 to vote. Delivery shall be made to the voter personally in the office of the election authority or
7 by bipartisan teams appointed by the election authority, or by first class, registered, or certified
8 mail at the discretion of the election authority, or in the case of a covered voter as defined in
9 section 115.902, the method of transmission prescribed in section 115.914. Where the election
10 authority is a county clerk, the members of bipartisan teams representing the political party other
11 than that of county clerk shall be selected from a list of persons submitted to the county clerk by
12 the county chairman of that party. If no list is provided by the time that absentee ballots are to
13 be made available, the county clerk may select a person or persons from lists provided in
14 accordance with section 115.087. If the election authority is not satisfied that any applicant is
15 entitled to vote by absentee ballot, it shall not deliver an absentee ballot to the applicant. Within
16 three working days of receiving such an application, the election authority shall notify the
17 applicant and state the reason he or she is not entitled to vote by absentee ballot. The applicant
18 may file a complaint with the elections division of the secretary of state's office under and
19 pursuant to section 115.219.

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

37 3. On the mailing and ballot envelopes for each covered voter, the election authority
38 shall stamp prominently in black the words "FEDERAL BALLOT, STATE OF MISSOURI" and
39 "U.S. Postage Paid, 39 U.S.C. Section 3406".

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

 115.289. 1. ~~[Except as provided in subsection 3 of this section,]~~ As applications for
2 absentee ballots are received, the election authority shall list the name, voting address and
3 mailing address, if different, of each applicant. ~~[Any person authorized under subsection 2 of this~~
4 ~~section may copy the list, and the election authority may make copies of the list available to such~~
5 ~~persons for a reasonable fee determined by the election authority.]~~

6 2. ~~[Except as provided in subsection 4 of this section,]~~ All lists of applications for
7 absentee ballots shall be kept confidential to the extent that such lists of applications shall not
8 be posted or displayed in any area open to the general public, nor shall such lists of applications
9 be shown to any person who is not entitled to see such lists of applications, either pursuant to the
10 provisions of this chapter or any other provisions of law. ~~[Persons entitled to see such lists shall~~
11 ~~include a candidate or a duly authorized representative of a campaign committee as defined in~~
12 ~~section 130.011, or any person with written authorization from a candidate, or any person that~~
13 ~~has applied for an absentee ballot.~~

14 ~~—————3. In each city not within a county, in each county of the first classification having a~~
15 ~~population of more than nine hundred thousand inhabitants, in each county of the first~~
16 ~~classification containing the major portion of a city which has over three hundred thousand~~
17 ~~inhabitants, and in that portion of each city which has over three hundred thousand inhabitants~~
18 ~~and located in more than one county, situated in the county containing the major portion of the~~
19 ~~city, as applications for absentee ballots are received, the election authority shall list the name,~~
20 ~~voting address and mailing address, if different, of each applicant. Prior to 8:00 a.m. on the~~
21 ~~Friday before an election all absentee ballot applications, lists of absentee ballot applications, or~~
22 ~~any information contained on the absentee ballot applications shall be kept confidential. Use of~~
23 ~~the applications, lists or information contained thereon by the election authority prior to 8:00~~
24 ~~a.m. on the Friday before an election for purposes other than processing absentee ballots shall~~
25 ~~be deemed a class one election offense. After 8:00 a.m. on the Friday before an election any~~
26 ~~person authorized under subsection 4 of this section may copy the list, and the election authority~~
27 ~~may make copies of the list available to such persons for a reasonable fee determined by the~~
28 ~~election authority.~~

29 ~~—————4. In each city not within a county, in each county of the first classification having a~~
30 ~~population of more than nine hundred thousand inhabitants, in each county of the first~~
31 ~~classification containing the major portion of a city which has over three hundred thousand~~
32 ~~inhabitants, and in that portion of each city which has over three hundred thousand inhabitants~~
33 ~~and located in more than one county, situated in the county containing the major portion of the~~
34 ~~city, after 8:00 a.m. on the Friday before an election, all lists of applications for absentee ballots~~

35 ~~shall be kept confidential to the extent that such lists of applications shall not be posted or~~
36 ~~displayed in any area open to the general public, nor shall such lists of applications be shown to~~
37 ~~any person who is not entitled to see such lists of applications, either pursuant to the provisions~~
38 ~~of this chapter or any other provisions of law. Persons entitled to see such lists shall include a~~
39 ~~candidate or a duly authorized representative of a campaign committee as defined in section~~
40 ~~130.011, or any person with written authorization from a candidate, or any person that has~~
41 ~~applied for an absentee ballot.]~~

115.291. 1. Upon receiving an absentee ballot by mail, the voter shall mark the ballot
2 in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on
3 the ballot envelope. The affidavit of each person voting an absentee ballot shall be subscribed
4 and sworn to before the election official receiving the ballot, a notary public or other officer
5 authorized by law to administer oaths, unless the voter is voting absentee due to **temporary**
6 incapacity or confinement due to the provisions of section 115.284, illness or physical disability];
7 ~~for an election that occurs during the year 2020, the voter has contracted or is in an at-risk~~
8 ~~category for contracting or transmitting severe acute respiratory syndrome coronavirus 2, as~~
9 ~~defined in section 115.277,] or the voter is a covered voter as defined in section 115.902. If the~~
10 voter is blind, unable to read or write the English language, or physically incapable of voting the
11 ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting
12 a voter who is not entitled to such assistance, and any person who assists a voter and in any
13 manner coerces or initiates a request or a suggestion that the voter vote for or against or refrain
14 from voting on any question, ticket or candidate, shall be guilty of a class one election offense.
15 If, upon counting, challenge or election contest, it is ascertained that any absentee ballot was
16 voted with unlawful assistance, the ballot shall be rejected. ~~[For purposes of this subsection, the~~
17 ~~voters who are in an at-risk category for contracting or transmitting severe acute respiratory~~
18 ~~syndrome coronavirus 2 are voters who:~~

- 19 ~~—— (1) Sixty-five years of age or older;~~
- 20 ~~—— (2) Live in a long-term care facility licensed under chapter 198;~~
- 21 ~~—— (3) Have chronic lung disease or moderate to severe asthma;~~
- 22 ~~—— (4) Have serious heart conditions;~~
- 23 ~~—— (5) Are immunocompromised;~~
- 24 ~~—— (6) Have diabetes;~~
- 25 ~~—— (7) Have chronic kidney disease and are undergoing dialysis; or~~
- 26 ~~—— (8) Have liver disease.]~~

27 2. Except as provided in subsection 4 of this section, each absentee ballot that is not cast
28 by the voter in person in the office of the election authority shall be returned to the election
29 authority in the ballot envelope and shall only be returned by the voter in person, or in person by

30 a relative of the voter who is within the second degree of consanguinity or affinity, by mail or
 31 registered carrier or by a team of deputy election authorities; except that covered voters, when
 32 sent from a location determined by the secretary of state to be inaccessible on election day, shall
 33 be allowed to return their absentee ballots cast by use of facsimile transmission or under a
 34 program approved by the Department of Defense for electronic transmission of election
 35 materials.

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

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

115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 ~~for sections~~
 2 ~~115.755 to 115.785~~, no candidate's name shall be printed on any official primary ballot unless
 3 the candidate has filed a written declaration of candidacy in the office of the appropriate election
 4 official by 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

5 2. No declaration of candidacy for nomination in a primary election shall be accepted
 6 for filing prior to 8:00 a.m. on the last Tuesday in February immediately preceding the primary
 7 election.

8 3. Each declaration of candidacy for nomination in a primary election shall state the
 9 candidate's full name, residence address, office for which such candidate proposes to be a
 10 candidate, the party ticket on which he or she wishes to be a candidate and that if nominated and
 11 elected he or she will qualify. The declaration shall be in substantially the following form:

12

13 I, _____, a resident and registered voter of the county of _____ and the state of
 14 Missouri, residing at _____, do announce myself a candidate for the office of _____ on the
 15 _____ party ticket, to be voted for at the primary election to be held on the _____ day of
 16 _____, _____, and I further declare that if nominated and elected to such office I will qualify.

17

18 _____
 Signature of candidate

Subscribed and sworn

to before me this

19

20

21

22

_____ day of
 _____, _____

Signature of election

23 official or other officer
24 authorized to
25 administer oaths

26 _____
27 Mailing address (if different)

28 _____
29 Telephone Number (Optional)

30

31

32 If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate
33 before an official authorized to accept his or her declaration of candidacy. If the declaration is
34 to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it shall
35 be subscribed and sworn to by the candidate before a notary public or other officer authorized
36 by law to administer oaths.

 115.351. No person who files as a party candidate for nomination or election to an office
2 shall, without withdrawing, file as another party's candidate or an independent candidate for
3 nomination or election to the office for the same term. No person who files as an independent
4 candidate for election to an office shall, without withdrawing, file as a party candidate for
5 nomination or election to the office for the same term. No person shall file for one office and,
6 without withdrawing, file for another office to be filled at the same election. ~~[A person who files~~
7 ~~a request to be included on the presidential primary ballot is not prohibited by this section from~~
8 ~~filing or appearing on any ballot as a party candidate for nomination to another office.]~~ Receipt
9 by the secretary of state of proper certification of nomination pursuant to subsection 1 of section
10 115.399 constitutes withdrawal by operation of law pursuant to subsection 1 of section 115.359
11 of any presidential or vice presidential nominee from any other office for which such nominee
12 is a candidate at the same election. Any person violating any provision of this section shall be
13 disqualified from running for nomination or election to any office at the primary and general
14 election next succeeding the violation.

 115.427. 1. Persons seeking to vote in a public election shall establish their identity and
2 eligibility to vote at the polling place **or, if voting absentee in person under section 115.257,**
3 **at the office of the election authority or other authorized location designated by the election**
4 **authority** by presenting a form of personal **photo** identification to election officials. No form
5 of **photo** personal identification other than the forms listed in this section shall be accepted to
6 establish a voter's qualifications to vote. Forms of personal **photo** identification that satisfy the
7 requirements of this section are any one of the following:

8 (1) Nonexpired Missouri driver's license;

9 (2) Nonexpired or nonexpiring Missouri nondriver's license;

10 (3) A document that satisfies all of the following requirements:

11 (a) The document contains the name of the individual to whom the document was issued,
12 and the name substantially conforms to the most recent signature in the individual's voter
13 registration record;

14 (b) The document shows a photograph of the individual;

15 (c) The document includes an expiration date, and the document is not expired, or, if
16 expired, the document expired after the date of the most recent general election; and

17 (d) The document was issued by the United States or the state of Missouri; or

18 (4) Any identification containing a photograph of the individual which is issued by the
19 Missouri National Guard, the United States Armed Forces, or the United States Department of
20 Veteran Affairs to a member or former member of the Missouri National Guard or the United
21 States Armed Forces and that is not expired or does not have an expiration date.

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

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

35 ~~—— (b) Identification issued by the United States government or agency thereof;~~

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

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

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

42 ~~—— (2) For any individual who appears at a polling place without a form of personal~~
43 ~~identification described in subsection 1 of this section and who is otherwise qualified to vote at~~

44 ~~that polling place, the election authority may take a picture of such individual and keep it as part~~
45 ~~of that individual's voter registration file at the election authority.~~

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

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

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

53

54 ~~—— "State of _____~~

55 ~~—— County of _____~~

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

63 ~~—— I understand that knowingly providing false information is a violation of law and subjects~~
64 ~~me to possible criminal prosecution.~~

65 ~~—— _____~~

66 ~~—— Signature of voter~~

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

68 ~~—— _____~~

69 ~~—— Signature of election official"~~

70

71 ~~—— 4. A voter] shall be allowed to cast a provisional ballot [under section 115.430 even if~~
72 ~~the election judges cannot establish the voter's identity under this section]. The election judges~~
73 ~~shall make a notation on the provisional ballot envelope to indicate that the voter's identity was~~
74 ~~not verified.~~

75 **(2) No person shall be entitled to receive a provisional ballot until such person has**
76 **completed a provisional ballot affidavit on the provisional ballot envelope. All provisional**
77 **ballots shall be marked with a conspicuous stamp or mark that distinguishes the**
78 **provisional ballots from other ballots.**

(3) The provisional ballot envelope shall be completed by the voter for use in determining the voter's eligibility to cast a ballot.

3. The provisional ballot envelope shall provide a place for the voter's name, address, date of birth, and the last four digits of his or her Social Security number, followed by a certificate in substantially the following form:

"I do solemnly swear that I am the person identified above and the information provided is correct. I understand that my vote will not be counted unless:

(1) I return to this polling place today between 6:00 a.m. and 7:00 p.m. and provide one of the following forms of identification:

(a) A nonexpired Missouri driver's license;

(b) A nonexpired or nonexpiring Missouri nondriver's license;

(c) A document that satisfies all of the following requirements:

(i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;

(ii) The document contains my photograph;

(iii) The document contains an expiration date and the document is not expired, or if expired, the document expired after the date of the most recent general election; and

(iv) The document was issued by the United States or the state of Missouri; or

(d) A document containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces and is not expired or does not have an expiration date; or

(2) The election authority verifies my identity by comparing my signature on this envelope to the signature on file with the election authority and determines that I am eligible to cast a ballot at this polling place; and

(3) This provisional ballot is otherwise qualified to be counted under the laws of the state of Missouri.

Signature of Voter

Date

Signature of Election Officials"

Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and deposited in a secured container by an election judge.

4. The provisional ballot cast by such voter shall not be counted unless:

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

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

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

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

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

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

- (a) A birth certificate;
- (b) A marriage license or certificate;
- (c) A divorce decree;
- (d) A certificate of decree of adoption;
- (e) A court order changing the person's name;
- (f) A Social Security card reflecting an updated name; and
- (g) Naturalization papers or other documents from the United States Department of State proving citizenship.

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

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

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

~~[7.]~~ 6. The director of the department of revenue shall, by January first of each year, prepare and deliver to each member of the general assembly a report documenting the number of individuals who have requested and received a nondriver's license photo identification for the purposes of voting under this section. The report shall also include the number of persons requesting a nondriver's license for purposes of voting under this section, but not receiving such license, and the reason for the denial of the nondriver's license.

~~[8.]~~ 7. The precinct register shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE

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

PRECINCT

WARD OR TOWNSHIP _____

GENERAL (SPECIAL, PRIMARY) ELECTION

Held _____, 20_____

Date

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

~~[9.]~~ 8. The secretary of state shall promulgate rules to effectuate the provisions of this section.

186 [40.] 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is
187 created under the authority delegated in this section shall become effective only if it complies
188 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
189 This section and chapter 536 are nonseverable and if any of the powers vested with the general
190 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and
191 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
192 any rule proposed or adopted after August 28, 2002, shall be invalid and void.

193 [41.] 10. If any voter is unable to sign his name at the appropriate place on the certificate
194 or computer printout, an election judge shall print the name and address of the voter in the
195 appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and
196 the voter's mark shall be witnessed by the signature of an election judge.

197 ~~[42. This section shall become effective only upon the passage and approval by the~~
198 ~~voters of a constitutional amendment submitted to them by the general assembly regarding the~~
199 ~~authorization of photo identification requirements for elections by general law. If such~~
200 ~~constitutional amendment is approved by the voters, this section shall become effective June 1,~~
201 ~~2017.]~~

115.435. After initialing the voter's identification certificate and after completing any
2 procedures required by section 115.433, the election judges shall allow the voter to proceed to
3 the voting booth and vote. **Once the ballot has been completed by the voter and he or she**
4 **successfully submits the ballot into the ballot box, the ballot is deemed cast.**

115.637. The following offenses, and any others specifically so described by law, shall
2 be class four election offenses and are deemed misdemeanors not connected with the exercise
3 of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment
4 of not more than one year or by a fine of not more than two thousand five hundred dollars or by
5 both such imprisonment and fine:

6 (1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample
7 ballots that may be furnished by an organization or individual at or near any voting place on
8 election day, except that this subdivision shall not be construed so as to interfere with the right
9 of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate
10 and substituting the name of the person for whom he or she intends to vote; or to dispose of the
11 received sample ballot;

12 (2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent
13 sample ballots which appear on their face to be designed as a fraud upon voters;

14 (3) Purposefully giving a printed or written sample ballot to any qualified voter which
15 is intended to mislead the voter;

16 (4) On the part of any candidate for election to any office of honor, trust, or profit,
17 offering or promising to discharge the duties of such office for a less sum than the salary, fees,
18 or emoluments as fixed by law or promising to pay back or donate to any public or private
19 interest any portion of such salary, fees, or emolument as an inducement to voters;

20 (5) On the part of any canvasser appointed to canvass any registration list, willfully
21 failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to
22 perform his duties in making such canvass or willfully neglecting any duties lawfully assigned
23 to him or her;

24 (6) On the part of any employer, making, enforcing, or attempting to enforce any order,
25 rule, or regulation or adopting any other device or method to prevent an employee from engaging
26 in political activities, accepting candidacy for nomination to, election to, or the holding of,
27 political office, holding a position as a member of a political committee, soliciting or receiving
28 funds for political purpose, acting as chairman or participating in a political convention,
29 assuming the conduct of any political campaign, signing, or subscribing his or her name to any
30 initiative, referendum, or recall petition, or any other petition circulated pursuant to law;

31 (7) On the part of any person authorized or employed to print official ballots, or any
32 person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any
33 ballot to or by any person other than the official under whose direction the ballots are being
34 printed, any ballot in any form other than that prescribed by law, or with unauthorized names,
35 with names misspelled, or with the names of candidates arranged in any way other than that
36 authorized by law;

37 (8) On the part of any election authority or official charged by law with the duty of
38 distributing the printed ballots, or any person acting on his or her behalf, knowingly distributing
39 or causing to be distributed any ballot in any manner other than that prescribed by law;

40 (9) Any person having in his or her possession any official ballot, except in the
41 performance of his or her duty as an election authority or official, or in the act of exercising his
42 or her individual voting privilege;

43 (10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;

44 (11) On the part of any election judge, being willfully absent from the polls on election
45 day without good cause or willfully detaining any election material or equipment and not causing
46 it to be produced at the voting place at the opening of the polls or within fifteen minutes
47 thereafter;

48 (12) On the part of any election authority or official, willfully neglecting, refusing, or
49 omitting to perform any duty required of him or her by law with respect to holding and
50 conducting an election, receiving and counting out the ballots, or making proper returns;

51 (13) On the part of any election judge, or party watcher or challenger, furnishing any
52 information tending in any way to show the state of the count to any other person prior to the
53 closing of the polls;

54 (14) On the part of any voter, except as otherwise provided by law, allowing his or her
55 ballot to be seen by any person with the intent of letting it be known how he or she is about to
56 vote or has voted, or knowingly making a false statement as to his or her inability to mark a
57 ballot;

58 (15) On the part of any election judge, disclosing to any person the name of any
59 candidate for whom a voter has voted;

60 (16) Interfering, or attempting to interfere, with any voter inside a polling place;

61 (17) On the part of any person at any registration site, polling place, counting location
62 or verification location, causing any breach of the peace or engaging in disorderly conduct,
63 violence, or threats of violence whereby such registration, election, count or verification is
64 impeded or interfered with;

65 (18) Exit polling, surveying, sampling, electioneering, distributing election literature,
66 posting signs or placing vehicles bearing signs with respect to any candidate or question to be
67 voted on at an election on election day inside the building in which a polling place is located or
68 within twenty-five feet of the building's outer door closest to the polling place, or, on the part of
69 any person, refusing to remove or permit removal from property owned or controlled by such
70 person, any such election sign or literature located within such distance on such day after request
71 for removal by any person;

72 (19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on
73 private property, except that this subdivision shall not be construed to interfere with the right of
74 any private property owner to take any action with regard to campaign yard signs on the owner's
75 property and this subdivision shall not be construed to interfere with the right of any candidate,
76 or the candidate's designee, to remove the candidate's campaign yard sign from the owner's
77 private property after the election day;

78 **(20) On the part of any initiative or referendum petition circulator, gathering**
79 **signatures within fifty feet of a polling place for any statewide ballot measure, as that term**
80 **is defined in section 116.010, that is approved for circulation under chapter 116.**

115.652. [4-] An election shall not be conducted under sections 115.650 to 115.660
2 unless:

3 (1) The officer or agency calling the election submits a written request that the election
4 be conducted by mail. Such request shall be submitted not later than the date specified in section
5 115.125 for submission of the notice of election and sample ballot;

6 (2) The election authority responsible for conducting the election authorizes the use of
7 mailed ballots for the election;

8 (3) The election is nonpartisan;

9 (4) The election is not one at which any candidate is elected, retained or recalled; and

10 (5) The election is an issue election at which all of the qualified voters of any one
11 political subdivision are the only voters eligible to vote.

12 ~~[2. Notwithstanding the provisions of subsection 1 of this section or any other provision~~
13 ~~of law to the contrary, an election may be conducted by mail as authorized under section~~
14 ~~115.302, during the year 2020, to avoid the risk of contracting or transmitting severe acute~~
15 ~~respiratory syndrome coronavirus 2. This subsection shall expire December 31, 2020.]~~

115.904. The voting procedures in sections 115.900 to 115.936 shall apply to:

2 (1) A general, special, ~~[presidential preference,]~~ or primary election for federal office;

3 (2) A general, special, or primary election for statewide or state legislative office or state
4 ballot measure; or

5 (3) Any election in which absentee voting is conducted pursuant to sections 115.275 to
6 115.304.

~~[115.302. 1. Any registered voter of this state may cast a mail-in ballot~~
2 ~~as provided in this section. Nothing in this section shall prevent a voter from~~
3 ~~casting an absentee ballot, provided such person has not cast a ballot pursuant to~~
4 ~~this section. Application for a mail-in ballot may be made by the applicant in~~
5 ~~person, or by United States mail, or on behalf of the applicant by his or her~~
6 ~~guardian or relative within the second degree of consanguinity or affinity.~~

7 ~~2. Each application for a mail-in ballot shall be made to the election~~
8 ~~authority of the jurisdiction in which the person is registered. Each application~~
9 ~~shall be in writing and shall state the applicant's name, address at which he or she~~
10 ~~is registered, the address to which the ballot is to be mailed.~~

11 ~~3. All applications for mail-in ballots received prior to the sixth Tuesday~~
12 ~~before an election shall be stored at the office of the election authority until such~~
13 ~~time as the applications are processed under section 115.281. No application for~~
14 ~~a mail-in ballot received in the office of the election authority after 5:00 p.m. on~~
15 ~~the second Wednesday immediately prior to the election shall be accepted by any~~
16 ~~election authority.~~

17 ~~4. Each application for a mail-in ballot shall be signed by the applicant~~
18 ~~or, if the application is made by a guardian or relative under this section, the~~
19 ~~application shall be signed by the guardian or relative, who shall note on the~~
20 ~~application his or her relationship to the applicant. If an applicant, guardian, or~~
21 ~~relative is blind, unable to read or write the English language, or physically~~
22 ~~incapable of signing the application, he or she shall sign by mark that is~~
23 ~~witnessed by the signature of an election official or person of his or her choice.~~

24 ~~Knowingly making, delivering, or mailing a fraudulent mail-in-ballot application~~
 25 ~~is a class one election offense.~~

26 ~~5. Not later than the sixth Tuesday prior to each election, or within~~
 27 ~~fourteen days after candidate names or questions are certified under section~~
 28 ~~115.125, the election authority shall cause to have printed and made available a~~
 29 ~~sufficient quantity of ballots, ballot envelopes, and mailing envelopes. As soon~~
 30 ~~as possible after a proper official calls a special state or county election, the~~
 31 ~~election authority shall cause to have printed and made available a sufficient~~
 32 ~~quantity of mail-in ballots, ballot envelopes, and mailing envelopes.~~

33 ~~6. Each ballot envelope shall bear a statement in substantially the same~~
 34 ~~form described in subsection 9 of this section. In addition, any person providing~~
 35 ~~assistance to the mail-in voter shall include a signature on the envelope~~
 36 ~~identifying the person providing such assistance under penalties of perjury.~~
 37 ~~Persons authorized to vote only for federal and statewide offices shall also state~~
 38 ~~their former Missouri residence.~~

39 ~~7. The statement for persons voting mail-in ballots who are registered~~
 40 ~~voters shall be in substantially the following form:~~

41 ~~State of Missouri~~
 42 ~~County (City) of _____~~
 43 ~~I, _____ (print name), a registered voter of _____ County (City~~
 44 ~~of St. Louis, Kansas City), declare under the penalties of perjury that: I am~~
 45 ~~qualified to vote at this election; I have not voted and will not vote other than by~~
 46 ~~this ballot at this election. I further state that I marked the enclosed ballot in~~
 47 ~~secret or that I am blind, unable to read or write English, or physically incapable~~
 48 ~~of marking the ballot, and the person of my choosing indicated below marked the~~
 49 ~~ballot at my direction; all of the information on this statement is, to the best of~~
 50 ~~my knowledge and belief, true.~~

51 ~~_____~~
 52 ~~Signature of Voter _____ Signature of Person _____~~
 53 ~~Assisting Voter _____~~
 54 ~~(if applicable)~~
 55 ~~Subscribed and sworn to before me this _____ day of _____,~~
 56 ~~_____.~~

57 ~~_____~~
 58 ~~Signature of notary or other officer authorized to administer oaths.~~

59 ~~_____~~
 60 ~~_____~~
 61 ~~Mailing addresses _____~~
 62 ~~(if different) _____~~

63 ~~8. Upon receipt of a signed application for a mail-in ballot and if satisfied~~
 64 ~~that the applicant is entitled to vote by mail-in ballot, the election authority shall,~~
 65 ~~within three working days after receiving the application, or, if mail-in ballots are~~
 66 ~~not available at the time the application is received, within five working days~~

67 after such ballots become available, deliver to the voter a mail-in ballot, ballot
68 envelope and such instructions as are necessary for the applicant to vote. If the
69 election authority is not satisfied that any applicant is entitled to vote by mail-in
70 ballot, the authority shall not deliver a mail-in ballot to the applicant. Within
71 three working days of receiving such an application, the election authority shall
72 notify the applicant and state the reason he or she is not entitled to vote by
73 mail-in ballot. The applicant may file a complaint with the elections division of
74 the secretary of state's office under section 115.219.

75 ————— 9. On the mailing and ballot envelopes for each covered voter, the
76 election authority shall stamp the words "ELECTION BALLOT, STATE OF
77 MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

78 ————— 10. No information which encourages a vote for or against a candidate
79 or issue shall be provided to any voter with a mail-in ballot.

80 ————— 11. Upon receiving a mail-in ballot by mail, the voter shall mark the
81 ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill
82 out the statement on the ballot envelope. The statement required under
83 subsection 7 of this section shall be subscribed and sworn to before a notary
84 public or other officer authorized by law to administer oaths. If the voter is blind,
85 unable to read or write the English language, or physically incapable of voting the
86 ballot, the voter may be assisted by a person of the voter's own choosing. Any
87 person who assists a voter and in any manner coerces or initiates a request or
88 suggestion that the voter vote for or against, or refrain from voting on, any
89 question or candidate, shall be guilty of a class one election offense. If, upon
90 counting, challenge, or election contest, it is ascertained that any mail-in ballot
91 was voted with unlawful assistance, the ballot shall be rejected.

92 ————— 12. Each mail-in ballot shall be returned to the election authority in the
93 ballot envelope and shall only be returned by the voter by United States mail.

94 ————— 13. The secretary of state may prescribe uniform regulations with respect
95 to the printing of ballot envelopes and mailing envelopes, which shall comply
96 with standards established by federal law or postal regulations. Mailing
97 envelopes for use in returning ballots shall be printed with business reply permits
98 so that any ballot returned by mail does not require postage. All fees and costs
99 for establishing and maintaining the business reply and postage-free mail for all
100 ballots cast shall be paid by the secretary of state through state appropriations.

101 ————— 14. All votes on each mail-in ballot received by an election authority at
102 or before the time fixed by law for the closing of the polls on election day shall
103 be counted. No votes on any mail-in ballot received by an election authority after
104 the time fixed by law for the closing of the polls on election day shall be counted.

105 ————— 15. If sufficient evidence is shown to an election authority that any
106 mail-in voter has died prior to the opening of the polls on election day, the ballot
107 of the deceased voter shall be rejected if it is still sealed in the ballot envelope.
108 Any such rejected ballot, still sealed in its ballot envelope, shall be sealed with
109 the application and any other papers connected therewith in an envelope marked

~~"Rejected ballot of _____, a mail-in voter of _____ voting district".
The reason for rejection shall be noted on the envelope, which shall be kept by
the election authority with the other ballots from the election until the ballots are
destroyed according to law.~~

~~16. As each mail-in ballot is received by the election authority, the
election authority shall indicate its receipt on the list.~~

~~17. All mail-in ballot envelopes received by the election authority shall
be kept together in a safe place and shall not be opened except as provided under
this chapter.~~

~~18. Mail-in ballots shall be counted using the procedures set out in
sections 115.297, 115.299, 115.300, and 115.303.~~

~~19. The false execution of a mail-in ballot is a class one election offense.
The attorney general or any prosecuting or circuit attorney shall have the
authority to prosecute such offense either in the county of residence of the person
or in the circuit court of Cole County.~~

~~20. The provisions of this section shall apply only to an election that
occurs during the year 2020, to avoid the risk of contracting or transmitting
severe acute respiratory syndrome coronavirus 2.~~

~~21. The provisions of this section terminate and shall be repealed on
December 31, 2020, and shall not apply to any election conducted after that date.]~~

~~[115.755. A statewide presidential preference primary shall be held on
the second Tuesday after the first Monday in March of each presidential election
year.]~~

~~[115.758. On or before the tenth Tuesday prior to the date of the
presidential preference primary, the secretary of state shall announce the official
list of presidential candidates for each established political party as provided in
section 115.761.]~~

~~[115.761. 1. The official list of presidential candidates for each
established political party shall include the names of all constitutionally qualified
candidates for whom, on or after 8:00 a.m. on the fifteenth Tuesday prior to the
presidential primary, and on or before 5:00 p.m., on the eleventh Tuesday prior
to the presidential primary, a written request to be included on the presidential
primary ballot is filed with the secretary of state along with:~~

~~(1) Receipt of payment to the state committee of the established political
party on whose ballot the candidate wishes to appear of a filing fee of five
thousand dollars; or~~

~~(2) A written statement, sworn to before an officer authorized by law to
administer oaths, that the candidate is unable to pay the filing fee and does not
have funds in a campaign fund or committee to pay the filing fee and a petition
signed by not less than five thousand registered Missouri voters, as determined~~

by the secretary of state, that the candidate's name be placed on the ballot of the specified established political party for the presidential preference primary. The request to be included on the presidential primary ballot shall include each signer's printed name, registered address and signature and shall be in substantially the following form:

____ I (We) the undersigned, do hereby request that the name of _____ be placed upon the February _____, _____, presidential primary ballot as candidate for nomination as the nominee for President of the United States on the _____ party ticket.

2. The state or national party organization of an established political party that adopts rules imposing signature requirements to be met before a candidate can be listed as an official candidate shall notify the secretary of state by October first of the year preceding the presidential primary:

3. Any candidate or such candidate's authorized representative may have such candidate's name stricken from the presidential primary ballot by filing with the secretary of state on or before 5:00 p.m. on the eleventh Tuesday prior to the presidential primary election a written statement, sworn to before an officer authorized by law to administer oaths, requesting that such candidate's name not be printed on the official primary ballot. Thereafter, the secretary of state shall not include the name of that candidate in the official list announced pursuant to section 115.758 or in the certified list of candidates transmitted pursuant to section 115.765.

4. The filing times set out in this section shall only apply to presidential preference primaries, and are in lieu of those established in section 115.349.]

[115.765. On or before the tenth Tuesday prior to a presidential preference primary, the secretary of state shall transmit to each election authority a certified list containing the names of all candidates whose names shall appear on the presidential preference primary ballot of each party. The names of the candidates shall appear in the order in which their request to be included on the presidential primary ballot was received in the office of the secretary of state, except that, in the case of candidates who file a request to be included on the presidential primary ballot with the secretary of state prior to 5:00 p.m. on the first day for filing, the secretary of state shall determine by random drawing the order in which such candidates' names shall appear on the ballot. The drawing shall be conducted so that each candidate, or candidate's representative, may draw a number at random at the time of filing. The secretary of state shall record the number drawn with the candidate's request to be included on the presidential primary ballot. The names of candidates filing on the first day for filing on each party ballot shall be listed in ascending order of the numbers so drawn.]

~~[115.767. Each election authority shall cause the name of candidates certified by the secretary of state to appear on the presidential preference primary ballot of each party, followed by a listing for an uncommitted vote.]~~

~~[115.770. The conduct of the presidential preference primary election and the count and canvass of the votes cast therein shall conform as nearly as is practicable to that prescribed for the conduct of the primary election for state officers. All primary election laws not inconsistent with the provisions of sections 115.750 to 115.785 shall be applicable to the conduct of this election; and the form of the ballot insofar as is practicable shall be substantially as that prescribed by section 115.395. In a presidential preference primary, each voter shall be entitled to receive the ballot of one and only one established political party, designated by the voter before receiving such voter's ballot. Each voter who participates in a presidential preference primary shall be entitled to vote on all questions and for any candidates submitted by political subdivisions and special districts at the general municipal election. Each voter who does not wish to participate in a presidential preference primary may vote on all questions and for any candidates submitted by a political subdivision or special district at the general municipal election.]~~

~~[115.773. After the count and canvass of the votes cast, the secretary of state shall notify the state chair of each of the established political parties for whom a candidate was listed, of the number of votes recorded in that established political party's primary that each candidate and uncommitted listing received.]~~

~~[115.776. The state party organization which is the state organization recognized by the national organization of that established political party shall, after the primary and before the national convention, conduct a series of caucuses culminating in congressional and state conventions. Delegates to the national conventions shall be chosen at the congressional district and state conventions pursuant to rules established by the political parties.]~~

~~[115.785. All costs of a presidential preference primary shall be paid by the state, except that, pursuant to section 115.065, costs shall be shared proportionately by the state and any political subdivisions and special districts holding an election on the same day as any such primary. For any county with more than five hundred polling places, the state shall assist in assuring adequate poll workers and equipment.]~~

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