

FIRST REGULAR SESSION

HOUSE BILL NO. 1101

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GUNBY.

2302H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 115.277, RSMo, and to enact in lieu thereof one new section relating to absentee voting, with an emergency clause.

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

Section A. Section 115.277, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.277, to read as follows:

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

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

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

(3) Religious belief or practice;

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

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

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

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.

16 (7) For an election that occurs during the year 2020, the voter has contracted or is in an
17 at-risk category for contracting or transmitting severe acute respiratory syndrome coronavirus
18 2. This subdivision shall expire on December 31, ~~2020~~ **2021**.

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

28 3. Any interstate former resident may vote by absentee ballot for presidential and vice
29 presidential electors.

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

34 5. Any new resident may vote by absentee ballot for presidential and vice presidential
35 electors after registering to vote in such resident's new jurisdiction of residence.

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

- 38 (1) Are sixty-five years of age or older;
39 (2) Live in a long-term care facility licensed under chapter 198;
40 (3) Have chronic lung disease or moderate to severe asthma;
41 (4) Have serious heart conditions;
42 (5) Are immunocompromised;
43 (6) Have diabetes;
44 (7) Have chronic kidney disease and are undergoing dialysis; or
45 (8) Have liver disease.

Section B. Because immediate action is necessary to ensure the safety of citizens
2 exercising their right to vote in 2021, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section A of this act shall be in full
5 force and effect upon its passage and approval.

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