

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 812
101ST GENERAL ASSEMBLY

4164H.05C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.111, 115.151, 115.160, 115.205, 115.225, 115.237, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.427, 115.435, 115.652, 115.902, 115.960, 116.160, and 116.220, RSMo, and to enact in lieu thereof thirty-one 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 115.111, 115.151, 115.160, 115.205, 115.225, 115.237, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.427, 115.435, 115.652, 115.902, 115.960, 116.160, and 116.220, RSMo, are repealed and thirty-one new sections enacted in lieu thereof, to be known as sections 115.022, 115.111, 115.151, 115.160, 115.205, 115.225, 115.237, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291, 115.302, 115.427, 115.435, 115.652, 115.902, 115.960, 115.1200, 115.1600, 115.1605, 115.1610, 116.160, 116.225, 1, 2, 3, and 4, to read as follows:

115.022. 1. Notwithstanding any provision of law to the contrary, no election authority shall accept funding, grants, or gifts, from any source, excluding in-kind donations of food or beverages valued at less than one thousand dollars per polling place, for preparing, administering, or conducting an election, including registering voters.

2. This section does not prohibit the actual use of a public or private building, without charge or for a reduced fee, for the purposes of conducting an election, including use as a polling place or for election training purposes.

115.111. 1. The election authority shall clearly designate observation areas for challengers and watchers. For watchers, designated areas shall be no closer than three

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.

3 feet and no further than six feet from the ballot processing area and shall be so positioned as to allow all watchers to readily observe all public aspects of the voting process and counting, in accordance with their legally prescribed duties. For challengers, designated areas shall be no closer than three feet and no further than six feet from the election check-in area and shall be so positioned as to allow all challengers, in accordance with their legally prescribed duties, to observe the names, ID, and addresses of people checking in to vote.

2. (1) The election authority shall provide watchers uniform and nondiscriminatory access to observe all stages of the election process, including but not limited to the certification of voting systems, testing of tabulating equipment, absentee voting in person at the office of the election authority, canvassing, voter appeals, vote tabulation, ballot transport, audits, and recounts.

(2) Watchers or challengers shall wear a badge with the name of the individual and the name of the political party or ballot measure committee the individual is representing.

(3) A watcher or challenger shall not wear any campaign material advocating voting for or against a candidate or for or against any position on a ballot measure.

(4) If any watcher or challenger interferes with the orderly process of voting, or is guilty of misconduct or any law violation, the election judges shall ask the watcher or challenger to leave the polling place or cease the interference. If the interference continues, the election judges shall notify the election authority, which shall take such action as it deems necessary. It shall be the duty of the police, if requested by the election authority or judges of election, to exclude any watcher or challenger from the polling place or the place where votes are being counted. If any challenger is excluded, another may be substituted by the designating committee chairman.

(5) A watcher or challenger shall not interfere with any voter in the preparation or casting of the voter's ballot or hinder or prevent the performance of the duties of any election official.

(6) A watcher or challenger is entitled to bring in voter lists to observe the voting process.

(7) A watcher or challenger is entitled to challenge any ballot in the same manner as qualifications to vote are challenged under section 115.429.

3. An election official who violates this section is guilty of a class four election offense.

115.151. 1. Each qualified applicant who appears before the election authority shall be deemed registered as of the time the applicant's completed, signed and sworn registration application is witnessed by the election authority or deputy registration official.

4 2. Each applicant who registers by mail shall be deemed to be registered as of the date
5 the application is postmarked, if such application is accepted and not rejected by the election
6 authority and the verification notice required pursuant to section 115.155 is not returned as
7 undeliverable by the postal service.

8 3. Each applicant who registers at a voter registration agency or the division of motor
9 vehicle and drivers licensing of the department of revenue shall be deemed to be registered as
10 of the date the application is signed by the applicant, if such application is accepted and not
11 rejected by the election authority and the verification notice required pursuant to section
12 115.155 is not returned as undeliverable by the postal service. Voter registration agencies
13 ~~[and the division of motor vehicle and drivers licensing of the department of revenue]~~ shall
14 transmit voter registration application forms to the appropriate election authority not later
15 than five business days after the form is completed by the applicant.

115.160. 1. All Missouri driver's license applicants shall receive a voter registration
2 application form as a simultaneous part of the application for a driver's license, renewal of
3 driver's license, change of address, duplicate request and a nondriver's license.

4 2. If a single application form is used, the voter registration application portion of any
5 application described in subsection 1 of this section may not require any information that
6 duplicates information required in the driver's license portion of the form, except a second
7 signature or other information required by law.

8 3. After conferring with the secretary of state as the chief state election official
9 responsible for overseeing of the voter registration process, the director of revenue shall adopt
10 rules and regulations pertaining to the format of the voter registration application used by the
11 department. **The director of revenue shall utilize electronic voter registration application**
12 **forms and provide for secure electronic transfer of voter registration information to**
13 **election authorities. The secretary of state and the director of revenue shall ensure the**
14 **confidentiality and integrity of the voter registration data collected, maintained,**
15 **received, or transmitted under this section.**

16 4. No information relating to the failure of an applicant for a driver's license or
17 nondriver's license to sign a voter registration application may be used for any purpose other
18 than voter registration.

19 5. Any voter registration application received pursuant to the provisions of this
20 section shall be forwarded, **in a secure and electronic manner**, to the election authority
21 located within that county or any city not within a county, or if there is more than one election
22 authority within the county, then to the election authority located nearest to the location where
23 the driver's license application was received. **Voter registration information, including an**
24 **electronic image of the signature of the applicant, shall be transmitted in a format**
25 **compatible with the Missouri voter registration system established in section 115.158**

26 **which allows for review by the election authority and does not require the election**
27 **authority to manually reenter the information, provided that the election authority shall**
28 **print out a paper copy of the information and retain such information in the manner**
29 **required by section 115.145.** The election authority receiving the application forms shall
30 review the applications and forward, **in a secure and electronic manner**, any applications
31 pertaining to a different election authority to that election authority.

32 6. A completed voter registration application accepted in the driver's licensing
33 process shall be transmitted to the election authority described in subsection 5 of this section
34 not later than ~~[five]~~ **three** business days after the form is completed by the applicant.

35 7. Any person registering to vote when applying for or renewing a Missouri driver's
36 license shall submit with the application form a copy of a birth certificate, a Native American
37 tribal document, or other proof of United States citizenship, a valid Missouri driver's license,
38 or other form of personal identification. **Any person who, at the time of a transaction with**
39 **the division of motor vehicle and drivers licensing of the department of revenue,**
40 **provides a document that establishes non-citizenship shall not be offered the**
41 **opportunity to register to vote as part of the transaction.**

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
7 general election two years later. A voter registration solicitor shall be at least eighteen years
8 of age and shall be a registered voter in the state of Missouri.

9 2. Each voter registration solicitor shall provide the following information in writing
10 to 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:

20

21 "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL
22 STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

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

115.225. 1. Before use by election authorities in this state, the secretary of state shall
2 approve the marking devices and the automatic tabulating equipment used in electronic
3 voting systems and may promulgate rules and regulations to implement the intent of sections
4 115.225 to 115.235.

5 2. No electronic voting system shall be approved unless it:

6 (1) Permits voting in absolute secrecy;

7 (2) Permits each voter to vote for as many candidates for each office as a voter is
8 lawfully entitled to vote for;

9 (3) Permits each voter to vote for or against as many questions as a voter is lawfully
10 entitled to vote on, and no more;

11 (4) Provides facilities for each voter to cast as many write-in votes for each office as a
12 voter is lawfully entitled to cast;

13 (5) Permits each voter in a primary election to vote for the candidates of only one
14 party announced by the voter in advance;

15 (6) Permits each voter at a presidential election to vote by use of a single mark for the
16 candidates of one party or group of petitioners for president, vice president and their
17 presidential electors;

18 (7) Accurately counts all proper votes cast for each candidate and for and against each
19 question;

20 (8) Is set to reject all votes, except write-in votes, for any office and on any question
21 when the number of votes exceeds the number a voter is lawfully entitled to cast;

22 (9) **Produces the election results from paper ballots that voters have marked by**
23 **hand or, in the case of voters who are disabled and need assistance, from paper ballots**
24 **that have been marked by paper ballot marking machines designed to assist voters who**
25 **are disabled;**

26 (10) Permits each voter, while voting, to clearly see the ballot label; **and**

27 ~~[(10)]~~ (11) Has been tested and is certified by an independent authority that meets the
28 voting system standards developed by the Federal Election Commission or its successor
29 agency. The provisions of this subdivision shall not be required for any system purchased
30 prior to August 28, 2002.

31 3. **Until January 1, 2024, if any election authority uses direct-record electronic**
32 **touchscreen vote counting machines, the election authority may continue to use such**
33 **machines solely for voters who are disabled and desire to use them. When machines**
34 **require replacement due to wear and tear, malfunction, or any other reason, such**
35 **machine shall be replaced with a paper ballot marking machine designed to assist voters**
36 **who are disabled. Under no circumstances shall direct-record electronic touchscreen**
37 **vote counting machines be used after January 1, 2024.**

38 4. The secretary of state shall promulgate rules and regulations to allow the use of a
39 computerized voting system. The procedures shall provide for the use of a computerized
40 voting system with the ability to provide a paper audit trail. Notwithstanding any provisions
41 of this chapter to the contrary, such a system may allow for the storage of processed ballot
42 materials in an electronic form.

43 ~~[4:]~~ 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is
44 created under the authority delegated in this section shall become effective only if it complies
45 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
46 This section and chapter 536 are nonseverable and if any of the powers vested with the
47 general assembly pursuant to chapter 536 to review, to delay the effective date or to
48 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
49 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
50 and void.

115.237. 1. **Beginning January 1, 2023, the official ballot shall be a paper ballot**
2 **that is hand-marked by the voter or by the voter's designee as permitted under**
3 **subsection 3 of section 115.445, unless such voter chooses to use a ballot marking device**
4 **as provided in subsection 3 of section 115.225.**

5 2. Each ballot printed or designed for use with an electronic voting system for any
6 election pursuant to this chapter shall contain all questions and the names of all offices and
7 candidates certified or filed pursuant to this chapter and no other. As far as practicable, all
8 questions and the names of all offices and candidates for which each voter is entitled to vote
9 shall be printed on one page except for the ballot for political party committee persons in
10 polling places not utilizing an electronic voting system which may be printed separately and
11 in conformity with the requirements contained in this section. As far as practicable, ballots
12 containing only questions and the names of nonpartisan offices and candidates shall be
13 printed in accordance with the provisions of this section, except that the ballot information
14 may be listed in vertical or horizontal rows. The names of candidates for each office shall be
15 listed in the order in which they are filed.

16 ~~[2:]~~ 3. In polling places using electronic voting systems, the ballot information may
17 be arranged in vertical or horizontal rows or on a number of separate pages or screens. In any

18 event, the name of each candidate, the candidate's party, the office for which he or she is a
19 candidate, and each question shall be indicated clearly on the ballot.

20 [3-] 4. Nothing in this subchapter shall be construed as prohibiting the use of a
21 separate paper ballot for questions or for the presidential preference primary in any polling
22 place using an electronic voting system.

23 [4-] 5. Where electronic voting systems are used and when write-in votes are
24 authorized by law, a write-in ballot, which may be in the form of a separate paper ballot, card,
25 or envelope, may be provided by the election authority to permit each voter to write in the
26 names of persons whose names do not appear on the ballot.

27 [5-] 6. No ballot printed or designed for use with an electronic voting system for any
28 partisan election held under this chapter shall allow a person to vote a straight political party
29 ticket. For purposes of this subsection, a "straight political party ticket" means voting for all
30 of the candidates for elective office who are on the ballot representing a single political party
31 by a single selection on the ballot.

32 [6-] 7. The secretary of state shall promulgate rules that specify uniform standards for
33 ballot layout for each electronic or computerized ballot counting system approved under the
34 provisions of section 115.225 so that the ballot used with any counting system is, where
35 possible, consistent with the intent of this section. Nothing in this section shall be construed
36 to require the format specified in this section if it does not meet the requirements of the ballot
37 counting system used by the election authority.

38 [7-] 8. Any rule or portion of a rule, as that term is defined in section 536.010, that is
39 created under the authority delegated in this section shall become effective only if it complies
40 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
41 This section and chapter 536 are nonseverable and if any of the powers vested with the
42 general assembly pursuant to chapter 536 to review, to delay the effective date or to
43 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
44 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
45 and void.

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

3 (1) "Absentee ballot", any ~~[of the ballots]~~ **ballot** a person is authorized to cast away
4 from a polling place, **in the office of the election authority, or another authorized location**
5 **designated by the election authority** pursuant to the provisions of sections 115.275 to
6 115.304;

7 (2) "Covered voter":

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

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

11 (c) An overseas voter;

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

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

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

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

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

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

29 ~~[(6)]~~ (5) "Overseas voter":

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

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

35 ~~[(7)]~~ (6) "Uniformed services":

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

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

41 (c) The Missouri National Guard;

42 ~~[(8)]~~ (7) "Uniformed services voter", an individual who is qualified to vote and is:

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

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

48 (c) A member on activated status of the National Guard; or

49 (d) A spouse or dependent of a member referred to in this subdivision;

50 ~~[(9)]~~ (8) "United States", used in the territorial sense, the several states, the District of
51 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular
52 possession subject to the jurisdiction of the United States.

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

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

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

10 (3) Religious belief or practice;

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

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

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

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

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

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

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

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

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

40 ~~(1) Are sixty-five years of age or older;~~

41 ~~(2) Live in a long-term care facility licensed under chapter 198;~~

42 ~~(3) Have chronic lung disease or moderate to severe asthma;~~

43 ~~(4) Have serious heart conditions;~~

44 ~~(5) Are immunocompromised;~~

45 ~~(6) Have diabetes;~~

46 ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~

47 ~~(8) Have liver disease.]~~

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

6 2. **No individual, group, or party shall solicit a voter into obtaining an absentee**
7 **ballot application. Absentee ballot applications shall not have the information pre-filled**
8 **prior to it being provided to a voter.**

9 3. Each application shall be made to the election authority of the jurisdiction in which
10 the person is or would be registered. Each application shall be in writing and shall state the
11 applicant's name, address at which he or she is or would be registered, his or her reason for
12 voting an absentee ballot, **if casting an absentee ballot under subsection 2 of section**
13 **115.277**, the address to which the ballot is to be mailed, if mailing is requested, and for absent
14 uniformed services and overseas applicants, the applicant's email address if electronic
15 transmission is requested. If the reason for the applicant voting absentee is due to the reasons
16 established under subdivision (6) of subsection ~~[4]~~ **3** of section 115.277, the applicant shall
17 state the voter's identification information provided by the address confidentiality program in
18 lieu of the applicant's name, address at which he or she is or would be registered, and address

19 to which the ballot is to be mailed, if mailing is requested. Each application to vote in a
20 primary election shall also state which ballot the applicant wishes to receive. If any
21 application fails to designate a ballot, the election authority shall, within three working days
22 after receiving the application, notify the applicant by mail that it will be unable to deliver an
23 absentee ballot until the applicant designates which political party ballot he or she wishes to
24 receive. If the applicant does not respond to the request for political party designation, the
25 election authority is authorized to provide the voter with that part of the ballot for which no
26 political party designation is required.

27 ~~[3. Except as provided in subsection 3 of section 115.281,]~~ 4. All applications for
28 absentee ballots received prior to the sixth Tuesday before an election shall be stored at the
29 office of the election authority until such time as the applications are processed in accordance
30 with section 115.281. No application for an absentee ballot received in the office of the
31 election authority by mail, by facsimile transmission, by electronic mail, or by a guardian or
32 relative after 5:00 p.m. on the second Wednesday immediately prior to the election shall be
33 accepted by any election authority. No application for an absentee ballot submitted by the
34 applicant in person after 5:00 p.m. on the day before the election shall be accepted by any
35 election authority, except as provided in subsections ~~[6, 8 and]~~ 7, 8, and 9 of this section.

36 ~~[4.]~~ 5. Each application for an absentee ballot shall be signed by the applicant or, if
37 the application is made by a guardian or relative pursuant to this section, the application shall
38 be signed by the guardian or relative, who shall note on the application his or her relationship
39 to the applicant. If an applicant, guardian or relative is blind, unable to read or write the
40 English language or physically incapable of signing the application, he or she shall sign by
41 mark, witnessed by the signature of an election official or person of his or her own choosing.
42 Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application
43 shall be guilty of a class one election offense.

44 ~~[5.]~~ 6. (1) Notwithstanding any law to the contrary, any resident of the state of
45 Missouri who resides outside the boundaries of the United States or who is on active duty
46 with the Armed Forces of the United States or members of their immediate family living with
47 them may request an absentee ballot for both the primary and subsequent general election
48 with one application.

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

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

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

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

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

"STATE OF _____
COUNTY OF _____, ss.
I, _____, do solemnly swear that:
(1) Before becoming a resident of this state, I resided at _____
(residence address) in _____ (town, township, village or city) of
_____ County in the state of _____;
(2) I moved to this state after the last day to register to vote in such
general presidential election and I am now residing in the county
of _____, state of Missouri;
(3) I believe I am entitled pursuant to the laws of this state to vote in
the presidential election to be held November _____, _____
(year);
(4) I hereby make application for a presidential and vice presidential
ballot. I have not voted and shall not vote other than by this ballot
at such election.
Signed _____
(Applicant)

(Residence Address)

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

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

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

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

~~["STATE OF _____]~~

~~[COUNTY OF _____, ss.]~~

~~[I, _____, do solemnly swear that:]~~

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

~~2) [I moved to this election jurisdiction after the last day to register to vote in such election;]~~

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

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

~~[Signed _____]~~

~~[(Applicant)]~~

~~_____~~

~~—]~~

~~[(Residence Address)]~~

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

~~—]~~

~~[Signed _____]~~

128 ~~[(Title and name of officer authorized to administer oaths)]~~

129 9. An application for an absentee ballot by an interstate former resident shall be
 130 received in the office of the election authority where the applicant was formerly registered by
 131 5:00 p.m. on the second Wednesday immediately prior to the election, unless the application
 132 is made in person by the applicant in the office of the election authority, in which case such
 133 application shall be made no later than 7:00 p.m. on the day of the election.

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

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

18 State of Missouri
 19 County (City) of _____
 20 I, _____ (print name), a registered voter of _____ County (City of St.
 21 Louis, Kansas City), declare under the penalties of perjury that I expect to
 22 be prevented from going to the polls on election day due to (check one):
 23 _____ absence on election day from the jurisdiction of the election
 24 authority in which I am registered;
 25 _____ incapacity or confinement due to illness or physical disability,
 26 including caring for a person who is incapacitated or confined
 27 due to illness or disability;
 28 _____ religious belief or practice;
 29 _____ employment as an election authority or by an election
 30 authority at a location other than my polling place;

31 _____ incarceration, although I have retained all the necessary
 32 qualifications for voting;
 33 _____ certified participation in the address confidentiality program
 34 established under sections 589.660 to 589.681 because of
 35 safety concerns.

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

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

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

59 State of Missouri
 60 County (City) of _____
 61 I, _____ (print name), declare under the penalties of perjury that I am a
 62 citizen of the United States and eighteen years of age or older. I am not
 63 adjudged incapacitated by any court of law, and if I have been convicted of
 64 a felony or of a misdemeanor connected with the right of suffrage, I have
 65 had the voting disabilities resulting from such conviction removed pursuant

to law. I hereby state under penalties of perjury that I am qualified to vote at this election.

I am (check one):

_____ a resident of the state of Missouri and a registered voter in _____ County and moved from that county to _____ County, Missouri, after the last day to register to vote in this election.
 _____ an interstate former resident of Missouri and authorized to vote for presidential and vice presidential electors.

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

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

_____	_____
Address of Voter	Signature of notary or
	other officer
	authorized to
	administer oaths

_____	_____
Mailing Address (if different)	_____

_____	_____
Signature of Person	Address of Last
Assisting Voter	Missouri Residence
	(if applicable)

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

State of Missouri
County (City) of _____

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

- _____ absence on election day from the jurisdiction of the election authority in which I am directed to vote;
- _____ incapacity or confinement due to illness or physical disability, including caring for a person who is incapacitated or confined due to illness or disability;
- _____ religious belief or practice;
- _____ employment as an election authority or by an election authority at a location other than my polling place;
- _____ incarceration, although I have retained all the necessary qualifications of voting;
- _____ certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.

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

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

_____	_____
Address	Signature of notary or
	other officer
	authorized to
	administer oaths

Signature of Person	
Assisting Voter	

(if applicable)

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

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

Reason why voter needed assistance: _____

ASSISTING PERSON SIGN HERE

1. _____ (signature of assisting person)
2. _____ (assisting person's name printed)
3. _____ (assisting person's residence)
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:]~~ 7. 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 1 of section 115.277.

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

~~[10:]~~ 9. 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

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

115.286. Absentee ballots under sections 115.275 to 115.304 received by the
2 **election authority in person or other authorized location designated by the election**
3 **authority are deemed cast when received prior to election day. Absentee ballots**
4 **received by the election authority through a common carrier such as the United States**
5 **Postal Service are deemed cast when received prior to the time fixed by law for the**
6 **closing of the polls on election day. Absentee ballots received by the election authority**
7 **through a common carrier such as the United States Postal Service shall be received**
8 **prior to the time fixed by law for the closing of polls on election day. The election**
9 **authority shall hand mark or stamp each absentee ballot envelope as it is received,**
10 **indicating the date and time the absentee ballot was received.**

115.287. 1. Upon receipt of a signed application for an absentee ballot and if satisfied
2 the applicant is entitled to vote by absentee ballot, the election authority shall, within three
3 working days after receiving the application, or if absentee ballots are not available at the
4 time the application is received, within five working days after they become available, deliver
5 to the voter an absentee ballot, ballot envelope and such instructions as are necessary for the
6 applicant to vote. Delivery shall be made to the voter personally in the office of the election
7 authority or by bipartisan teams appointed by the election authority, or by first class,
8 registered, or certified mail at the discretion of the election authority, or in the case of a
9 covered voter as defined in section 115.902, the method of transmission prescribed in section
10 115.914. Where the election authority is a county clerk, the members of bipartisan teams
11 representing the political party other than that of county clerk shall be selected from a list of
12 persons submitted to the county clerk by the county chairman of that party. If no list is
13 provided by the time that absentee ballots are to be made available, the county clerk may
14 select a person or persons from lists provided in accordance with section 115.087. If the
15 election authority is not satisfied that any applicant is entitled to vote by absentee ballot, it
16 shall not deliver an absentee ballot to the applicant. Within three working days of receiving
17 such an application, the election authority shall notify the applicant and state the reason he or
18 she is not entitled to vote by absentee ballot. The applicant may file a complaint with the
19 elections division of the secretary of state's office under and 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 confined due to illness or injury, or is confined
22 in an intermediate care facility, residential care facility, or skilled nursing facility **on election**
23 **day**, as such terms are defined in section 198.006, in the county in which the jurisdiction is
24 located or in the jurisdiction of an adjacent election authority within the same county, the
25 election authority shall appoint a team to deliver, witness the signing of and return the voter's
26 application and deliver, witness the voting of and return the voter's absentee ballot. ~~[In~~
27 ~~counties with a charter form of government and in cities not within a county, and in each city~~
28 ~~which has over three hundred thousand inhabitants, and is situated in more than one county,]~~
29 If the election authority receives ten or more applications for absentee ballots from the same
30 address it ~~[may]~~ **shall** appoint a team to deliver and witness the voting and return of absentee
31 ballots by voters residing at that address, except when such addresses are for an apartment
32 building or other structure wherein individual living units are located, each of which has its
33 own separate cooking facilities. Each team appointed pursuant to this subsection shall consist
34 of two registered voters, one from each major political party. Both members of any team
35 appointed pursuant to this subsection shall be present during the delivery, signing or voting
36 and return of any application or absentee ballot 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"
39 and "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.

115.291. 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 incapacity or
6 confinement due to the provisions of section 115.284, illness or physical disability, ~~[for an~~
7 ~~election that occurs during the year 2020, the voter has contracted or is in an at-risk category~~
8 ~~for contracting or transmitting severe acute respiratory syndrome coronavirus 2, as defined in~~
9 ~~section 115.277,]~~ or the voter is a covered voter as defined in section 115.902. If the voter is
10 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
12 assisting a voter who is not entitled to such assistance, and any person who assists a voter and
13 in any manner coerces or initiates a request or a suggestion that the voter vote for or against or
14 refrain from voting on any question, ticket or candidate, shall be guilty of a class one election
15 offense. If, upon counting, challenge or election contest, it is ascertained that any absentee

16 ballot was voted with unlawful assistance, the ballot shall be rejected. ~~[For purposes of this~~
17 ~~subsection, the voters who are in an at-risk category for contracting or transmitting severe~~
18 ~~acute respiratory 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
28 cast by the voter in person in the office of the election authority shall be returned to the
29 election authority in the ballot envelope and shall only be returned by the voter in person, or
30 in person by a relative of the voter who is within the second degree of consanguinity or
31 affinity, by mail or registered carrier or by a team of deputy election authorities; except that
32 covered voters, when sent from a location determined by the secretary of state to be
33 inaccessible on election day, shall be allowed to return their absentee ballots cast by use of
34 facsimile transmission or under a program approved by the Department of Defense for
35 electronic transmission of election 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
38 may provide for the delivery and return of absentee ballots by use of a facsimile transmission
39 device or system. Any rule promulgated pursuant to this subsection shall apply to a class or
40 classes of 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
43 on envelope type.

44 **5. No absentee ballot shall be delivered through a drop box and no election**
45 **authority shall establish or use a drop box for the purpose of collecting absentee ballots.**

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

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

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

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

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

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

35 7. ~~The statement for persons voting mail-in ballots who are registered voters shall be~~
36 ~~in substantially the following form:—]~~

37 [State of Missouri]
38 [County (City) of _____]
39 [I, _____ (print name), a registered voter of
40 _____ County (City of St. Louis, Kansas
41 City), declare under the penalties of perjury that:
42 I am qualified to vote at this election; I have not
43 voted and will not vote other than by this ballot

at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.]

_____] _____]

[Signature of
Voter]

[Signature of
Person]

[Assisting
Voter]

[(if
applicable)]

[Subscribed and sworn to before me this _____
____ day of _____, _____.]

_____]

[Signature of notary or other officer authorized
to administer oaths.]

____]

____]

[Mailing
addresses]

[(if different)]

[8. Upon receipt of a signed application for a mail-in ballot and if satisfied that the applicant is entitled to vote by mail-in ballot, the election authority shall, within three working days after receiving the application, or, if mail-in ballots are not available at the time the application is received, within five working days after such ballots become available, deliver to the voter a mail-in ballot, ballot envelope and such instructions as are necessary for the applicant to vote. If the election authority is not satisfied that any applicant is entitled to vote by mail-in ballot, the authority shall not deliver a mail-in ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the

80 applicant and state the reason he or she is not entitled to vote by mail-in ballot. The applicant
81 may file a complaint with the elections division of the secretary of state's office under section
82 115.219.

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

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

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

99 12. Each mail in ballot shall be returned to the election authority in the ballot
100 envelope and shall only be returned by the voter by United States mail.

101 13. The secretary of state may prescribe uniform regulations with respect to the
102 printing of ballot envelopes and mailing envelopes, which shall comply with standards
103 established by federal law or postal regulations. Mailing envelopes for use in returning
104 ballots shall be printed with business reply permits so that any ballot returned by mail does
105 not require postage. All fees and costs for establishing and maintaining the business reply
106 and postage free mail for all ballots cast shall be paid by the secretary of state through state
107 appropriations.

108 14. All votes on each mail-in ballot received by an election authority at or before the
109 time fixed by law for the closing of the polls on election day shall be counted. No votes on
110 any mail-in ballot received by an election authority after the time fixed by law for the closing
111 of the polls on election day shall be counted.

112 15. If sufficient evidence is shown to an election authority that any mail-in voter has
113 died prior to the opening of the polls on election day, the ballot of the deceased voter shall be
114 rejected if it is still sealed in the ballot envelope. Any such rejected ballot, still sealed in its
115 ballot envelope, shall be sealed with the application and any other papers connected therewith
116 in an envelope marked "Rejected ballot of _____, a mail-in voter of _____ voting

117 district". The reason for rejection shall be noted on the envelope, which shall be kept by the
118 election authority with the other ballots from the election until the ballots are destroyed
119 according to law.

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

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

124 18. Mail-in ballots shall be counted using the procedures set out in sections 115.297,
125 115.299, 115.300, and 115.303.

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

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

133 21. The provisions of this section terminate and shall be repealed on December 31,
134 2020, and shall not apply to any election conducted after that date.] **Mail-in ballots shall not**
135 **be authorized by any executive or administrative order and no authorization for the use**
136 **of mail-in ballots shall be inferred from any general law. This section shall not preclude**
137 **the use of absentee ballots authorized under this chapter. Any expansion of the use of**
138 **mail-in ballots subsequent to the effective date of this act shall require the repeal of this**
139 **section by explicit reference thereto.**

115.427. 1. Persons seeking to vote in a public election shall establish their identity
2 and eligibility to vote at the polling place **or, if voting absentee in person under section**
3 **115.277, at the office of the election authority or other authorized location designated by**
4 **the election authority** by presenting a form of personal **photo** identification to election
5 officials. No form of personal identification other than the forms listed in this section shall be
6 accepted to establish a voter's qualifications to vote. Forms of personal identification that
7 satisfy the 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
12 issued, and the name substantially conforms to the most recent signature in the individual's
13 voter 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
19 the Missouri National Guard, the United States Armed Forces, or the United States
20 Department of Veteran Affairs to a member or former member of the Missouri National
21 Guard or the United States Armed Forces and that is not expired or does not have an
22 expiration date.

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

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

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

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

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

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

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

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

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

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

54	["State of _____]
55	[County of _____]
56	[I do solemnly swear (or affirm) that my name is _____; that I reside
57	[at _____; that I am the person listed in the precinct register under this
58	[name and at this address; and that, under penalty of perjury, I do not
59	[possess a form of personal identification approved for voting. As a
60	[person who does not possess a form of personal identification
61	[approved for voting, I acknowledge that I am eligible to receive free of
62	[charge a Missouri nondriver's license at any fee office if desiring it in
63	[order to vote. I furthermore acknowledge that I am required to present
64	[a form of personal identification, as prescribed by law, in order to
65	[vote.]
66	[I understand that knowingly providing false information is a violation
67	[of law and subjects me to possible criminal prosecution.]
68	[_____]
69	[Signature of voter]
70	[Subscribed and affirmed before me this _____ day of _____, 20__
71	[____]
72	[_____]
73	[Signature of election official"]

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

78 **(2) No person shall be entitled to receive a provisional ballot until such person**
 79 **has completed a provisional ballot affidavit on the provisional ballot envelope. All**
 80 **provisional ballots shall be marked with a conspicuous stamp or mark that makes them**
 81 **distinguishable from other ballots.**

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

84 **3. The provisional ballot envelope shall provide a place for the voter's name,**
 85 **address, date of birth, and last four digits of his or her Social Security number, followed**
 86 **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) Nonexpired Missouri driver's license;

(b) 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 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) Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, including Space Force, 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 that is not expired or does not have an expiration date;

(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 was eligible to cast a ballot at this polling place; and

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

Signature of Voter

Date

Signatures of Election Officials

122 **Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and**
123 **placed in a separate secured container by the election judge.**

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

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

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

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

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

139 6.] (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the
140 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any
141 otherwise qualified voter who does not already possess such identification and who desires
142 the identification ~~[in order to vote]~~ **for voting.**

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

146 (a) A birth certificate;

147 (b) A marriage license or certificate;

148 (c) A divorce decree;

149 (d) A certificate of decree of adoption;

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

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

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

154
155 Any individual seeking one of the above documents in order to obtain a form of personal
156 identification described in subsection 1 of this section ~~[in order to vote]~~ **for voting** may
157 request the secretary of state to facilitate the acquisition of such documents. The secretary of
158 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.	

195 ~~[9:]~~ 8. The secretary of state shall promulgate rules to effectuate the provisions of this
196 section.

197 ~~[10:]~~ 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is
198 created under the authority delegated in this section shall become effective only if it complies
199 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
200 This section and chapter 536 are nonseverable and if any of the powers vested with the
201 general assembly pursuant to chapter 536 to review, to delay the effective date or to
202 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
203 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
204 and void.

205 ~~[11:]~~ 10. If any voter is unable to sign his name at the appropriate place on the
206 certificate or computer printout, an election judge shall print the name and address of the
207 voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of
208 signature, and the voter's mark shall be witnessed by the signature of an election judge.

209 ~~[12. This section shall become effective only upon the passage and approval by the~~
210 ~~voters of a constitutional amendment submitted to them by the general assembly regarding~~
211 ~~the authorization of photo identification requirements for elections by general law. If such~~
212 ~~constitutional amendment is approved by the voters, this section shall become effective June~~
213 ~~1, 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, the ballot is deemed cast.**

115.652. ~~[1:]~~ 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
4 election be conducted by mail. Such request shall be submitted not later than the date
5 specified in section 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
7 of 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~~
13 ~~provision of law to the contrary, an election may be conducted by mail as authorized under~~

~~14 section 115.302, during the year 2020, to avoid the risk of contracting or transmitting severe~~
~~15 acute respiratory syndrome coronavirus 2. This subsection shall expire December 31, 2020.]~~

115.902. As used in sections 115.900 to 115.936, the following terms shall mean:

2 (1) "Covered voter":

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

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

6 (c) An overseas voter;

7 (2) "Dependent", an individual recognized as a dependent by a uniformed service;

8 (3) "Federal postcard application", the application prescribed under Section 101(b)(2)
9 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)
10 (2);

11 (4) "Federal write-in absentee ballot", the ballot described in Section 103 of the
12 Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2;

13 (5) "Military-overseas ballot":

14 (a) A federal write-in absentee ballot;

15 (b) A ballot specifically prepared or distributed for use by a covered voter in
16 accordance with sections 115.900 to 115.936; and

17 (c) A ballot cast by a covered voter in accordance with sections 115.900 to 115.936;

18 (6) "Overseas voter":

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

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

24 (7) "State", a state of the United States, the District of Columbia, Puerto Rico, the
25 United States Virgin Islands, or any territory or insular possession subject to the jurisdiction
26 of the United States;

27 (8) "Uniformed services":

28 (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps,
29 **Space Force**, or Coast Guard of the United States;

30 (b) The Merchant Marine, the commissioned corps of the Public Health Service, or
31 the commissioned corps of the National Oceanic and Atmospheric Administration of the
32 United States; or

33 (c) The Missouri National Guard;

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

- 35 (a) A member of the active or reserve components of the Army, Navy, Air Force,
36 Marine Corps, **Space Force**, or Coast Guard of the United States who is on active duty;
37 (b) A member of the Merchant Marine, the commissioned corps of the Public Health
38 Service, or the commissioned corps of the National Oceanic and Atmospheric Administration
39 of the United States;
40 (c) A member on activated status of the National Guard; or
41 (d) A spouse or dependent of a member referred to in this subdivision;
42 (10) "United States", used in the territorial sense, the several states, the District of
43 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular
44 possession subject to the jurisdiction of the United States.

115.960. 1. An election authority is authorized to accept voter registration
2 applications with a signature submitted to the election authority under the provisions of
3 sections 432.200 to 432.295 as provided in this section:

- 4 (1) Sections 432.200 to 432.295 shall only apply to transactions between parties that
5 have agreed to conduct transactions by electronic means;
6 (2) Except as provided in subsection 2 of this section, as used in this section and
7 sections 432.200 to 432.295, the parties who agree to conduct voter registration transactions
8 by electronic means shall be the local election authority who is required to accept or reject a
9 voter registration application and the prospective voter submitting the application;
10 (3) A local election authority is authorized to develop, maintain, and approve systems
11 that transmit voter registration applications electronically under sections 432.200 to 432.295;
12 (4) Except as provided in subsection 2 of this section **and section 115.160**, no officer,
13 agency, or organization shall collect or submit a voter registration application with an
14 electronic signature to an election authority without first obtaining approval of the data and
15 signature format from the local election authority and the approval of the voter to collect and
16 store the signature and data; and
17 (5) Local election authorities who maintain a voter registration application system
18 shall direct voter registration applicants from other jurisdictions to the system used by the
19 local election authority for that jurisdiction to accept voter registration applications
20 electronically.

21 2. (1) A system maintained by the secretary of state's office ~~[shall]~~ **may** be used to
22 accept voter registration applications electronically ~~[subsequent to approval from the~~
23 ~~committee formed as set forth in this subsection:~~

- 24 ~~(1) Within thirty days of, but in no event prior to January 1, 2017, the president of the~~
25 ~~Missouri Association of County Clerks and Election Authorities shall appoint fourteen of its~~
26 ~~members to serve on a committee to approve and develop uniform standards, systems, and~~
27 ~~modifications that shall be used by the secretary of state in any electronic voter registration~~

28 application system offered by that office. The committee may also make recommendations
29 regarding the purchase, maintenance, integration, and operation of electronic databases,
30 software, and hardware used by local election authorities and the secretary of state's office
31 including, but not limited to, systems used for military and overseas voting and for building
32 and conducting election operations. The committee shall have fourteen local election
33 authorities, including representatives of each classification of counties, a representative from
34 an election board, and at least one member who has experience processing online voter
35 registration transactions. In addition, one representative appointed by the secretary of state's
36 office shall serve on the committee;

37 (2) The committee shall immediately meet to approve electronic signature formats
38 and a minimum set of data collection standards for use in a voter registration application
39 system maintained by the secretary of state;

40 (3) Once the format and data collection standards are approved by the committee and
41 implemented for the system maintained by the secretary of state,].

42 (2) Local election authorities shall accept the transmission of voter registration
43 applications submitted to the approved system under the provisions of sections 432.200 to
44 432.295];

45 (4) The secretary of state's office shall direct eligible voters to a local election
46 authority's system to accept voter registration applications electronically if the local election
47 authority has a system in place as of August 28, 2016, or implements a system that meets the
48 same standards and format that has been approved by the committee for the secretary of
49 state's system;

50 (5) The committee shall meet not less than semiannually through June 30, 2019, to
51 recommend and approve changes and enhancements proposed by the secretary of state or
52 election authorities to the electronic voter registration application system. Vacancies that
53 occur on the committee shall be filled by the president of the Missouri Association of County
54 Clerks and Election Authorities at the time of the vacancy;].

55 [(6)] (3) To improve the accuracy of voter registration application data and reduce
56 costs for local election authorities, the system maintained by the secretary of state shall[, as
57 soon as is practical,] provide a method where the data entered by the voter registration
58 applicant does not have to be re-entered by the election authority to the state voter registration
59 database.

60 3. Each applicant who registers using an approved electronic voter registration
61 application system shall be deemed to be registered as of the date the signed application is
62 submitted to the system, if such application is accepted and not rejected by the election
63 authority and the verification notice required under section 115.155 is not returned as
64 undeliverable by the postal service.

65 4. This section shall not apply to voter registration and absentee records submitted by
66 voters authorized under federal law, section 115.291, or sections 115.900 to 115.936 to submit
67 electronic records and signatures.

68 5. High quality copies, including electronic copies, of signatures made on paper
69 documents may be used for petition signature verification purposes and retained as records.

70 6. Any signature required for petition submission under chapter 116 shall be
71 handwritten on a paper document.

72 7. ~~[Notwithstanding the provisions of section 432.230]~~ **Except as provided under**
73 **sections 115.160 and 432.230**, nothing in this section shall require the election authority to
74 accept voter registration records or signatures created, generated, sent, communicated,
75 received, stored, or otherwise processed, or used by electronic means or in electronic form
76 from any officer, agency, or organization not authorized under subsection 2 of this section
77 without prior approval from the election authority. **Election authorities shall accept and**
78 **process voter registration records, including electronic images of applicant signatures,**
79 **transmitted electronically by the division of motor vehicle and driver licensing of the**
80 **department of revenue under section 115.160.** Except as provided in subsection 2 of this
81 section **and section 115.160**, no officer, agency, or organization shall give the voter the
82 opportunity to submit a voter registration application with an electronic signature without first
83 obtaining the approval of the local election authority.

84 8. An election authority that agrees to conduct a transaction by electronic means may
85 refuse to conduct other transactions by electronic means.

86 9. No election authority or the secretary of state shall furnish to any member of the
87 public any data collected under a voter registration application system except as authorized in
88 subsections 1 to 5 of section 115.157.

89 10. Nothing in this section shall be construed to require the secretary of state to cease
90 operating a voter registration application in place as of the effective date of this act.

115.1200. 1. This section shall be known as the "Missouri Elections Sovereignty
2 **Act".**

3 **2. The general assembly finds that regulations placed by Congress on the times,**
4 **places, and manner of holding elections for representatives and the times and manner of**
5 **holding elections for senators are limited only to those respective offices and do not**
6 **extend to state and local elections.**

7 **3. The general assembly of the state of Missouri reserves authority to regulate**
8 **both voter qualifications and the time, place, and manner for state and local elections to**
9 **the maximum extent authorized by the Constitution of the United States.**

10 **4. The state of Missouri shall comply with and implement federal laws governing**
11 **the time, place, and manner of United States representative elections and federal laws**

12 governing the time and manner of United States senate elections to the extent necessary
13 to preserve the federal system of government and comply with the Constitution of the
14 United States, but shall reserve the right to protect, preserve, and defend the integrity of
15 state and local elections through lawful regulation of voter qualifications for such state
16 and local elections.

17 5. Any differences in the regulations for time, place, and manner of holding
18 elections for federal representatives, the time and manner for the senate elections, and
19 state and local elections, shall result in separate election procedures to ensure the
20 sovereignty of the state of Missouri to conduct elections in the manner in which the
21 general assembly shall deem necessary.

115.1600. 1. The purpose of this section is to ensure that the governor and state
2 legislature are made aware of all communications made or provided to state agencies or
3 entities responsible for overseeing elections, by the U.S. Department of Justice or any
4 other federal executive branch agency, related to elections or voting, to enable the state
5 to respond as needed to ensure state agencies are not being unduly coerced by the
6 federal executive branch to potentially violate state law, especially laws related to times,
7 places, and manner of elections.

8 2. The term "communication or communications" shall mean any federal
9 directive or guidance passed to the state of Missouri through telephonic or electronic
10 means, through the mail, or through in-person contact, pertaining to elections including
11 the times, places, and manner for carrying out elections in Missouri, received on or after
12 the date this section is signed into law, by any state agency or person, group, or entity
13 charged by the state to administer any official election occurring within the state. This
14 includes, but is not limited to, any guidance issued by the Department of Justice or any
15 other federal executive agency related to new or existing voting or election laws or
16 procedures.

17 3. Any state agency, whether that agency is involved in elections or not, or any
18 person, group, or entity charged by the state to administer any official election
19 occurring within the state, who receives or sends a communication from or to the
20 Department of Justice or any other federal executive branch agency, related to new or
21 existing voting or election laws, shall provide notice to the governor and state legislature
22 of this communication within five business days.

23 4. The notice requirement outlined in this section shall be presumed to have been
24 met based on the post-marked date on the letter, one each, sent to the governor and state
25 legislature, through certified mail, outlining the communication received or sent.

26 **5. A violation of this section will result in a fine in the amount of five thousand**
27 **dollars for each communication made by or to the Department of Justice or any other**
28 **federal executive branch agency, related to new or existing voting or election laws.**

29 **6. This section is repealed February 1, 2025, unless reviewed and saved from**
30 **repeal by the Legislature.**

115.1605. 1. The purpose of this section is to ensure that all new federal election
2 **guidance has been properly reviewed by the state of Missouri before it is carried out to**
3 **ensure it is lawful, and to provide the state with an opportunity to challenge the**
4 **guidance in court if it is not, so that the sanctity of all elections carried out in the state is**
5 **protected from unlawful federalization efforts.**

6 **2. The term "new federal election guidance" shall mean any federal directive or**
7 **guidance pertaining to elections including the times, places, and manner for carrying**
8 **out elections in Missouri, received on or after the date this section is signed into law, by a**
9 **person, group, or entity charged by the state to administer any official election**
10 **occurring within Missouri. This includes, but is not limited to, any guidance issued by**
11 **the Department of Justice or any other federal executive agency related to new or**
12 **existing voting or election laws.**

13 **3. Any person, group, or entity charged by the state of Missouri to administer**
14 **any official election occurring within the state who intends to implement any new**
15 **federal election guidance pending approval from the state legislature in compliance with**
16 **this section shall provide notice to the state legislature of its intent to do so before**
17 **implementing the guidance.**

18 **4. No person, group, or entity charged by the state to administer any official**
19 **election occurring within the state shall implement any federal directive or guidance**
20 **pertaining to elections without an explicit state or federal legal requirement to do so or**
21 **prior approval of the state legislature or its designee.**

22 **5. It shall be presumed for purposes of compliance with this section that the state**
23 **legislature has approved the implementation of the new federal election guidance if the**
24 **state legislature fails to vote on the issue within one hundred twenty days from when**
25 **notice is provided to the legislature in accordance with this section.**

26 **6. A violation of this section shall result in a fine in the amount of five thousand**
27 **dollars to be levied every thirty days until the implemented guidance is formally**
28 **withdrawn.**

29 **7. This section is repealed February 1, 2025, unless reviewed and saved from**
30 **repeal by the Legislature.**

115.1610. 1. The purpose of this section is to ensure that all election funding is
2 **approved by the state legislature before it is accepted or disbursed in order to ensure**

3 that it is allocated fairly and in a manner that will promote the legislature's goal of
4 facilitating a free and fair election that strives to ensure that all legally cast votes are
5 counted while promoting efficiency and election integrity.

6 2. The term "new federal election funds" shall mean any federal funds received
7 on or after the date this section is signed into law, by a person, group, or entity charged
8 by the state of Missouri to administer any official election occurring within the state.

9 3. Any person, group, or entity charged by the state to administer any official
10 election occurring within Missouri who intends to accept or disburse federal election
11 funds pending approval from the state legislature in compliance with this section, must
12 provide notice to the state legislature of its intent to do so before accepting the funds. If
13 funds have already been accepted, then approval must be provided by the state
14 legislature before the funds may be disbursed.

15 4. No person, group, or entity charged by the state to administer any official
16 election occurring within the state shall accept or disburse new federal election funds
17 without an explicit state or federal legal requirement to so or prior approval of the
18 legislature or its designee in accordance with this section.

19 5. It shall be presumed for purposes of compliance with this section that the
20 legislature has approved the acceptance and disbursement of new federal election funds
21 if the state legislature fails to vote on the issue within one hundred twenty days from
22 when notice is provided to the legislature pursuant to subsection 3 of this section.

23 6. A violation of this section will result in a fine in the amount of the new federal
24 election funds accepted or disbursed in violation of this section plus an additional one
25 thousand dollars.

26 7. This section is repealed February 1, 2025, unless reviewed and saved from
27 repeal by the Legislature.

116.160. 1. If the general assembly adopts a joint resolution proposing a
2 constitutional amendment or a bill without a fiscal note summary, which is to be referred to a
3 vote of the people, after receipt of such resolution or bill the secretary of state shall promptly
4 forward the resolution or bill to the state auditor. If the general assembly adopts a joint
5 resolution proposing a constitutional amendment or a bill without an official summary
6 statement, which is to be referred to a vote of the people, within twenty days after receipt of
7 the resolution or bill, the secretary of state shall prepare and transmit to the attorney general a
8 summary statement of the measure as the proposed summary statement. The secretary of
9 state may seek the advice of the legislator who introduced the constitutional amendment or
10 bill and the speaker of the house or the president pro tem of the legislative chamber that
11 originated the measure. The summary statement may be distinct from the legislative title of
12 the proposed constitutional amendment or bill. The attorney general shall within ten days

13 approve the legal content and form of the proposed statement. **If the general assembly**
14 **adopts a joint resolution proposing a constitutional amendment or statutory measure**
15 **that includes an official summary statement, the statement shall appear on the ballot,**
16 **and no court shall have the authority to rewrite or edit the summary statement or ballot**
17 **language.**

18 2. The official summary statement shall contain no more than fifty words, excluding
19 articles. The title shall be a true and impartial statement of the purposes of the proposed
20 measure in language neither intentionally argumentative nor likely to create prejudice either
21 for or against the proposed measure.

116.225. Political subdivisions or special districts of this state shall label ballot
2 **measures of any type that are submitted to a vote of the people alphabetically in the**
3 **order in which they are submitted by petition, ordinance, vote of a political subdivision**
4 **or special district, or other method authorized by law. The secretary of state shall label**
5 **statutory initiative and referendum measures with the letters A through I. The county**
6 **governing body, unless otherwise specified by a county charter, shall label county ballot**
7 **measures with the letters J through R, and the governing body of each city, town,**
8 **village, township, or special district local ballot measures with the letters S through Z.**
9 **Each official or governing body described in this section shall label the first ballot**
10 **measure in each category with the first letter in the sequence designated for that**
11 **category, and so on consecutively through the last letter designated for the category, and**
12 **then begin labeling with the first letter for the category followed by an "A" and so on. A**
13 **new series of letters shall be started after each election. In the event a measure is labeled**
14 **prior to but not voted on at the next succeeding election, the letter or number assigned**
15 **to such measure shall not be reassigned until after such measure has been voted on by**
16 **the people.**

Section 1. Notwithstanding any provision of law to the contrary, any ballot
2 measure seeking approval to add, change, or modify a tax on real property shall express
3 the effect of the proposed change within the ballot language in terms of the change in
4 real dollars owed per one hundred thousand dollars of a property's market valuation.

Section 2. For any election in which the selection of multiple candidates in
2 response to a single ballot question is permitted, the ballot language for such an election
3 shall specify that the voter "may vote for up to [the maximum number] candidates".
4 The maximum number of candidates is based on the offices available. The ballot
5 language shall not indicate that the voter "shall" or "must" vote for a definite number
6 of candidates.

Section 3. Notwithstanding any other provision of law to the contrary, drop
2 boxes, which for purposes of this section shall mean unattended depositories for election

3 ballots but shall not include mail boxes under the ownership and control of the United
4 States Postal Service, shall be prohibited in this state.

Section 4. 1. This section shall be known and may be cited as the "Legislative
2 Intervention Act".

3 2. As used in this section the term "public official" means any elected or
4 appointed officer, employee, or agent of the state or any political subdivision, board,
5 commission, bureau, or other public body established by law.

6 3. In any civil action in a state or federal court, no public official, including any
7 attorney representing or acting on behalf of a public official, has any authority to
8 compromise or settle the action, consent to any condition, or agree to any order in
9 connection therewith if the compromise, settlement, condition, or order nullifies,
10 suspends, enjoins, alters, or conflicts with any provision of law.

11 4. Any compromise, settlement, condition, or order to which a public official
12 agrees that conflicts with subsection 3 of this section is void and has no legal effect.

13 5. Nothing in this section shall be construed to limit or otherwise restrict any
14 powers granted by the Constitution of Missouri.

15 6. When a party to an action in state or federal court challenges the
16 constitutionality of a statute, facially or as applied, challenges a statute as violating or
17 preempted by federal law, or otherwise challenges the construction or validity of a
18 statute, as part of a claim or affirmative defense, that party must provide a copy of the
19 pleading to the speaker of the house of representatives and the president pro tempore of
20 the senate within fourteen days of filing the pleading with the court. The speaker of the
21 house of representatives and the president pro tempore of the senate may intervene to
22 defend against the action at any time in the action as a matter of right by serving motion
23 upon the parties as provided in the rules of civil procedure.

24 7. The speaker of the house of representatives may intervene at any time in the
25 action on behalf of the house of representatives. The speaker may obtain legal counsel
26 other than from the attorney general, with the cost of representation paid from funds
27 appropriated for that purpose, to represent the house of representatives in any action in
28 which the speaker intervenes.

29 8. The president pro tempore of the senate may intervene at any time in the
30 action on behalf of the senate. The president pro tempore may obtain legal counsel
31 other than from the attorney general, with the cost of representation paid from funds
32 appropriated for that purpose, to represent the senate in any action in which the
33 president pro tempore intervenes.

34 9. The president pro tempore of the senate and the speaker of the house of
35 representatives, acting jointly, may intervene at any time in the action on behalf of the

36 general assembly. The president pro tempore and the speaker, acting jointly, may
37 obtain legal counsel other than from the attorney general, with the cost of
38 representation paid from funds appropriated for that purpose, to represent the
39 general assembly in any action in which the president pro tempore and speaker jointly
40 intervene.

41 10. No individual member, or group of members, of the senate or the house of
42 representatives, except the president pro tempore and the speaker as provided under
43 this section, shall intervene in an action described in this section or obtain legal counsel
44 at public expense under this section, in the member's or group's capacity as a member
45 or members of the senate or the house of representatives.

46 11. Notwithstanding any provision of law to the contrary, the participation of the
47 speaker of the house of representatives or the president pro tempore of the senate in any
48 state or federal action, as a party or otherwise, does not constitute a waiver of the
49 legislative immunity or legislative privilege of any member, officer, or staff of the
50 general assembly.

2 ~~[116.220. The secretary of state shall label statutory initiative and~~
3 ~~referendum measures alphabetically in the order in which they are submitted~~
4 ~~by petition or in the order in which they are passed by the general assembly.~~
5 ~~The secretary of state shall label the first as "Proposition A", and so on~~
6 ~~consecutively through the letter Z, and then begin labeling as "Proposition~~
7 ~~AA" and so on. A new series of letters shall be started after each general~~
8 ~~election. In the event a measure is labeled prior to, but not voted on at, the~~
9 ~~next succeeding general election, the letter assigned to such measure shall not~~
~~be reassigned until after such measure has been voted on by the people.]~~

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