

**HOUSE AMENDMENT NO. \_\_\_\_\_**  
**TO**  
**HOUSE AMENDMENT NO. \_\_\_\_\_**

**Offered By**

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1 AMEND House Amendment No. \_\_\_\_\_ to House Committee Substitute for House Bill Nos. 267 &  
2 347, Page 1, Line 1, by inserting after the number "347," the following:

3  
4 "Page 3, Section 115.123, Line, 22, by inserting after all of said section and line the following:

5  
6 "115.127. 1. Except as provided in subsection 4 of this section, upon receipt of notice of a  
7 special election to fill a vacancy submitted pursuant to subsection 2 of section 115.125, the election  
8 authority shall cause legal notice of the special election to be published in a newspaper of general  
9 circulation in its jurisdiction. The notice shall include the name of the officer or agency calling the  
10 election, the date and time of the election, the name of the office to be filled and the date by which  
11 candidates must be selected or filed for the office. Within one week prior to each special election to  
12 fill a vacancy held in its jurisdiction, the election authority shall cause legal notice of the election to  
13 be published in two newspapers of different political faith and general circulation in the jurisdiction.  
14 The legal notice shall include the date and time of the election, the name of the officer or agency  
15 calling the election and a sample ballot. If there is only one newspaper of general circulation in the  
16 jurisdiction, the notice shall be published in the newspaper within one week prior to the election. If  
17 there are two or more newspapers of general circulation in the jurisdiction, but no two of opposite  
18 political faith, the notice shall be published in any two of the newspapers within one week prior to  
19 the election.

20 2. Except as provided in subsections 1 and 4 of this section and in sections 115.521, 115.549  
21 and 115.593, the election authority shall cause legal notice of each election held in its jurisdiction to  
22 be published. The notice shall be published in two newspapers of different political faith and  
23 qualified pursuant to chapter 493 which are published within the bounds of the area holding the  
24 election. If there is only one so-qualified newspaper, then notice shall be published in only one  
25 newspaper. If there is no newspaper published within the bounds of the election area, then the  
26 notice shall be published in two qualified newspapers of different political faith serving the area.  
27 Notice shall be published twice, the first publication occurring in the second week prior to the  
28 election, and the second publication occurring within one week prior to the election. Each such  
29 legal notice shall include the date and time of the election, the name of the officer or agency calling

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 the election and a sample ballot; and, unless notice has been given as provided by section 115.129,  
2 the second publication of notice of the election shall include the location of polling places. The  
3 election authority may provide any additional notice of the election it deems desirable.

4 3. The election authority shall print the official ballot as the same appears on the sample  
5 ballot, and no candidate's name or ballot issue which appears on the sample ballot or official printed  
6 ballot shall be stricken or removed from the ballot except on death of a candidate or by court order,  
7 but in no event shall a candidate or issue be stricken or removed from the ballot less than eight  
8 weeks before the date of the election.

9 4. In lieu of causing legal notice to be published in accordance with any of the provisions of  
10 this chapter, the election authority in jurisdictions which have less than seven hundred fifty  
11 registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may  
12 cause legal notice to be mailed during the second week prior to the election, by first class mail, to  
13 each registered voter at the voter's voting address. All such legal notices shall include the date and  
14 time of the election, the location of the polling place, the name of the officer or agency calling the  
15 election and a sample ballot.

16 5. If the opening date for filing a declaration of candidacy for any office in a political  
17 subdivision or special district is not required by law or charter, the opening filing date shall be 8:00  
18 a.m., the ~~[seventeenth]~~ sixteenth Tuesday prior to the election. If the closing date for filing a  
19 declaration of candidacy for any office in a political subdivision or special district is not required by  
20 law or charter, the closing filing date shall be 5:00 p.m., the ~~[fourteenth]~~ thirteenth Tuesday prior to  
21 the election or, if the thirteenth Tuesday prior to the election is a state or federal holiday, the closing  
22 filing date shall be 5:00 p.m. on the next day that is not a state or federal holiday. The political  
23 subdivision or special district calling an election shall, before the ~~[seventeenth]~~ sixteenth Tuesday,  
24 prior to any election at which offices are to be filled, notify the general public of the opening filing  
25 date, the office or offices to be filled, the proper place for filing and the closing filing date of the  
26 election. Such notification may be accomplished by legal notice published in at least one newspaper  
27 of general circulation in the political subdivision or special district.

28 6. Except as provided for in sections 115.247 and 115.359, if there is no additional cost for  
29 the printing or reprinting of ballots or if the candidate agrees to pay any printing or reprinting costs,  
30 a candidate who has filed for an office or who has been duly nominated for an office may, at any  
31 time after the certification of the notice of election required in subsection 1 of section 115.125 but  
32 no later than 5:00 p.m. on the eighth Tuesday before the election, withdraw as a candidate pursuant  
33 to a court order, which, except for good cause shown by the election authority in opposition thereto,  
34 shall be freely given upon application by the candidate to the circuit court of the area of such  
35 candidate's residence.

36 115.205. 1. No person shall be paid or otherwise compensated for soliciting voter  
37 registration applications, other than a governmental entity or a person who is paid or compensated  
38 by a governmental entity for such solicitation. A voter registration solicitor, other than a  
39 governmental entity or a person who is paid or compensated by a governmental entity for such

1 solicitation, who solicits more than ten voter registration applications shall register for every  
2 election cycle that begins on the day after the general election and ends on the day of the general  
3 election two years later. A voter registration solicitor shall be at least eighteen years of age and shall  
4 be a registered voter in the state of Missouri.

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

- 7 (1) The name of the voter registration solicitor;
- 8 (2) The residential address, including street number, city, state, and zip code;
- 9 (3) The mailing address, if different from the residential address; and
- 10 (4) The signature of the voter registration solicitor.

11 3. The solicitor information required in subsection 2 of this section shall be submitted to the  
12 secretary of state's office with the following oath and affirmation:

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

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

19 115.284. 1. There is hereby established an absentee voting process to assist persons with  
20 permanent disabilities in the exercise of their voting rights.

21 2. The local election authority shall send an application to participate in the absentee voting  
22 process set out in this section to any registered voter residing within the election authority's  
23 jurisdiction upon request.

24 3. Upon receipt of a properly completed application, the election authority shall enter the  
25 voter's name on a list of voters qualified to participate as absentee voters pursuant to this section.

26 4. The application to participate in the absentee voting process shall be in substantially the  
27 following form:

State of \_\_\_\_\_

County (City) of \_\_\_\_\_

I, \_\_\_\_\_ (print applicant's name), declare that I am a resident and  
registered voter of \_\_\_\_\_ County, Missouri, and am permanently  
disabled. I hereby request that my name be placed on the election  
authority's list of voters qualified to participate as absentee voters pursuant  
to section 115.284, and that I be delivered an absentee ballot application  
for each election in which I am eligible to vote.

\_\_\_\_\_  
Signature of Voter

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Voter's Address

1           5. Not earlier than ten weeks before an election but prior to the fourth Tuesday prior to an  
 2 election, the election authority shall deliver to each voter qualified to participate as absentee voters  
 3 pursuant to this section an absentee ballot application if the voter is eligible to vote in that election.  
 4 If the voter returns the absentee request application to the election authority not later than 5:00 p.m.  
 5 on the second Wednesday before an election and has retained the necessary qualifications to vote,  
 6 the election authority shall provide the voter with an absentee ballot pursuant to this chapter.

7           6. The election authority shall remove from the list of voters qualified to participate as  
 8 absentee voters pursuant to this section any voter who:

9           (1) Asks to be removed from the list;

10          (2) Dies;

11          (3) Becomes disqualified from voting pursuant to this chapter; or

12          (4) No longer resides at the address of his or her voter registration.

13           7. No lists of applications under this section shall be posted or displayed in any area open to  
 14 the general public, nor shall such lists of applications be considered a public record under the  
 15 provisions of chapter 610."; and

16  
 17 Further amend said bill and page, Section 115.351, Line 15, by inserting after all of said section and  
 18 line the following:

19  
 20           "115.427. 1. Persons seeking to vote in a public election shall establish their identity and  
 21 eligibility to vote at the polling place or, if voting absentee in person under section 115.277, at the  
 22 office of the election authority or other authorized location designated by the election authority by  
 23 presenting a form of personal photo identification to election officials. No form of personal photo  
 24 identification other than the forms listed in this section shall be accepted to establish a voter's  
 25 qualifications to vote. Forms of personal photo identification that satisfy the requirements of this  
 26 section are any one of the following:

27           (1) Nonexpired Missouri driver's license as described under section 302.181;

28           (2) Nonexpired or nonexpiring Missouri nondriver's license as described in section 302.181;

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

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

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

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

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

2 (4) Any identification containing a photograph of the individual which is issued by the  
3 Missouri National Guard, the United States Armed Forces, including the Space Force, or the United  
4 States Department of Veteran Affairs to a member or former member of the Missouri National  
5 Guard or the United States Armed Forces, including the Space Force, and that is not expired or does  
6 not have an expiration date.

7 2. (1) An individual who appears at a polling place without a form of personal identification  
8 described in subsection 1 of this section and who is otherwise qualified to vote at that polling place  
9 shall be allowed to cast a provisional ballot. The election judges shall make a notation on the  
10 provisional ballot envelope to indicate that the voter's identity was not verified.

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

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

17 3. The provisional ballot envelope shall provide a place for the voter's name, address, date  
18 of birth, and last four digits of his or her Social Security number, followed by a certificate in  
19 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) (a) 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; or

(b) 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

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

\_\_\_\_\_  
Signature of Voter

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Election Officials

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

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

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

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

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

5. The secretary of state shall provide notice of the personal photo identification requirements described in subsection 1 of this section on the official state internet website of the secretary of state.

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

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

- (a) A birth certificate;
- (b) A marriage license or certificate;
- (c) A divorce decree;

- 1 (d) A certificate of decree of adoption;
- 2 (e) A court order changing the person's name;
- 3 (f) A Social Security card reflecting an updated name; and
- 4 (g) Naturalization papers or other documents from the United States Department of State
- 5 proving citizenship.

6  
 7 Any individual seeking one of the above documents in order to obtain a form of personal photo  
 8 identification described in subsection 1 of this section for voting may request the secretary of state  
 9 to facilitate the acquisition of such documents. The secretary of state shall pay any fee or fees  
 10 charged by another state or its agencies, or any court of competent jurisdiction in this state or any  
 11 other state, or the federal government or its agencies, in order to obtain any of the above documents  
 12 from such state or the federal government.

13 (3) Any applicant who requests a nondriver's license for voting shall not be required to pay a  
 14 fee. The state of Missouri shall pay the legally required fees for any such applicant. The  
 15 department of revenue and a local election authority may enter into a contract that allows the local  
 16 election authority to assist the department in issuing nondriver's license photo identifications.

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

23 8. The precinct register shall serve as the voter identification certificate. The following  
 24 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.

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

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

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

12           115.430. 1. This section shall apply to ~~[primary and general elections where candidates for~~  
13 ~~federal or statewide offices are nominated or elected and any election where statewide issue or~~  
14 ~~issues are submitted to the voters]~~ any public election.

15           2. (1) A voter claiming to be properly registered in the jurisdiction of the election authority  
16 and eligible to vote in an election, but whose eligibility at that precinct cannot be immediately  
17 established upon examination of the precinct register, shall be entitled to vote a provisional ballot  
18 after providing a form of personal identification required pursuant to section 115.427 or upon  
19 executing an affidavit under section 115.427, or may vote at a central polling place as established in  
20 section 115.115 where the voter may vote his or her appropriate ballot for his or her precinct of  
21 residence upon verification of eligibility or vote a provisional ballot if eligibility cannot be  
22 determined. The provisional ballot provided to a voter under this section shall be the ballot  
23 provided to a resident of the voter's precinct determined by reference to the affidavit provided for in  
24 this section. If the voter declares that the voter is eligible to vote and the election authority  
25 determines that the voter is eligible to vote at another polling place, the voter shall be directed to the  
26 correct polling place or a central polling place as established by the election authority pursuant to  
27 subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central  
28 polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place,  
29 but such ballot shall not be counted if the voter was not eligible to vote at that polling place.

30           (2) The following steps shall be taken to establish a voter's eligibility to vote at a polling  
31 place:

32           (a) The election judge shall examine the precinct register as provided in section 115.425. If  
33 the voter is registered and eligible to vote at the polling place, the voter shall receive a regular  
34 ballot;

35           (b) If the voter's eligibility cannot be immediately established by examining the precinct  
36 register, the election judge shall contact the election authority. If the election authority cannot  
37 immediately establish that the voter is registered and eligible to vote at the polling place upon  
38 examination of the Missouri voter registration system, or if the election judge is unable to make



1 contact with the election authority immediately, the voter shall be notified that the voter is entitled to  
2 a provisional ballot.

3 (3) The voter shall have the duty to appear and vote at the correct polling place. If an  
4 election judge determines that the voter is not eligible to vote at the polling place at which a voter  
5 presents himself or herself, and if the voter appears to be eligible to vote at another polling place,  
6 the voter shall be informed that he or she may cast a provisional ballot at the current polling place or  
7 may travel to the correct polling place or a central polling place, as established by the election  
8 authority under subsection 5 of section 115.115, where the voter may cast a regular ballot or  
9 provisional ballot if the voter's eligibility still cannot be determined. Provisional ballots cast at a  
10 polling place shall be counted only if the voter was eligible to vote at such polling place as provided  
11 in subsection 5 of this section.

12 (4) For a voter requesting an absentee ballot in person, such voter shall be entitled to cast a  
13 provisional ballot when the voter's eligibility cannot be immediately established upon examination  
14 of the precinct registers or the Missouri voter registration system.

15 (5) Prior to accepting any provisional ballot at the polling place, the election judges shall  
16 determine that the information provided on the provisional ballot envelope by the provisional voter  
17 is consistent with the identification provided by such person under section 115.427.

18 3. (1) No person shall be entitled to receive a provisional ballot until such person has  
19 completed a provisional ballot affidavit on the provisional ballot envelope.

20 (2) The secretary of state shall produce appropriate sizes of provisional ballot envelopes and  
21 distribute them to each election authority according to their tabulating system. All provisional ballot  
22 envelopes shall be printed on a distinguishable color of paper that is different from the color of the  
23 regular ballot. The provisional ballot envelope shall be in the form required by subsection 4 of this  
24 section. All provisional ballots shall be marked with a conspicuous stamp or other distinguishing  
25 mark that makes them readily distinguishable from the regular ballots.

26 (3) Once voted, the provisional ballot shall be placed and sealed in a provisional ballot  
27 envelope.

28 4. The provisional ballot in its envelope shall be deposited in the ballot box. The  
29 provisional ballot envelope shall be completed by the voter for use in determining eligibility. The  
30 provisional ballot envelope specified in this section shall contain a voter's certificate which shall be  
31 in substantially the following form:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I do solemnly swear (or affirm) that my name is \_\_\_\_\_; that my date of  
birth is \_\_\_\_\_; that the last four digits of my Social Security Number are  
\_\_\_\_\_; that I am registered to vote in \_\_\_\_\_ County or City (if a City not  
within a County), Missouri; that I am a qualified voter of said County (or  
City not within a County); that I am eligible to vote at this polling place;  
and that I have not voted in this election.

I understand that if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

\_\_\_\_\_  
(Signature of Voter)

\_\_\_\_\_  
(Current Address)

Subscribed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Election Official)

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The voter may provide additional information to further assist the election authority in determining eligibility, including the place and date the voter registered to vote, if known.

5. (1) Prior to counting any provisional ballot, the election authority shall determine if the voter is registered and eligible to vote and if the vote was properly cast. The eligibility of provisional votes shall be determined according to the requirements for a voter to cast a ballot in the election as set forth in sections 115.133 and 115.135. A provisional [~~voter~~] ballot shall not be eligible to be counted until the election authority has determined that:

- (a) The voter cast such provisional ballot at a polling place established for the voter or the central polling place established by the election authority under subsection 5 of section 115.115;
- (b) The individual who cast the provisional ballot is an individual registered to vote in the respective election at the polling place where the ballot was cast;
- (c) The voter did not otherwise vote in the same election by regular ballot, absentee ballot, or otherwise; and
- (d) The information on the provisional ballot envelope is found to be correct, complete, and accurate.

(2) When the ballot boxes are delivered to the election authority from the polling places, the receiving teams shall separate the provisional ballots from the rest of the ballots and place the sealed provisional ballot envelopes in a separate container. Teams of election authority employees or teams of election judges with each team consisting of one member of each major political party shall photocopy each provisional ballot envelope, such photocopy to be used by the election authority to determine provisional voter eligibility. The sealed provisional ballot envelopes shall be placed by the team in a sealed container and shall remain therein until tabulation.

1 (3) To determine whether a provisional ballot is valid and entitled to be counted, the election  
2 authority shall examine its records and verify that the provisional voter is properly registered and  
3 eligible to vote in the election. If the provisional voter has provided information regarding the  
4 registration agency where the provisional voter registered to vote, the election authority shall make  
5 an inquiry of the registration agency to determine whether the provisional voter is properly  
6 registered and eligible to vote in the election.

7 (4) If the election authority determines that the provisional voter is registered and eligible to  
8 vote in the election, the election authority shall provide documentation verifying the voter's  
9 eligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and  
10 shall contain substantially the following information:

11 (a) The name of the provisional voter;

12 (b) The name of the reviewer;

13 (c) The date and time; and

14 (d) A description of evidence found that supports the voter's eligibility.

15 (5) The local election authority shall record on a provisional ballot acceptance/rejection list  
16 the provisional ballot identification number and a notation marking it as accepted.

17 (6) If the election authority determines that the provisional voter is not registered or eligible  
18 to vote in the election, the election authority shall provide documentation verifying the voter's  
19 ineligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and  
20 shall contain substantially the following information:

21 (a) The name of the provisional voter;

22 (b) The name of the reviewer;

23 (c) The date and time;

24 (d) A description of why the voter is ineligible.

25 (7) The local election authority shall record on a provisional ballot acceptance/rejection list  
26 the provisional ballot identification number and notation marking it as rejected.

27 (8) If rejected, a photocopy of the envelope shall be made and used by the election authority  
28 as a mail-in voter registration. The actual provisional ballot envelope shall be kept as ballot  
29 material, and the copy of the envelope shall be used by the election authority for registration record  
30 keeping.

31 6. All provisional ballots cast by voters whose eligibility has been verified as provided in  
32 this section shall be counted in accordance with the rules governing ballot tabulation. Provisional  
33 ballots shall not be counted until all provisional ballots are determined either eligible or ineligible  
34 and all provisional ballots must be processed before the election is certified. The provisional ballot  
35 shall be counted only if the election authority determines that the voter is registered and eligible to  
36 vote. Provisional ballots voted in the wrong polling place shall not be counted. If the voter is not  
37 registered but is qualified to register for future elections, the affidavit shall be considered a mail-in  
38 application to register to vote pursuant to this chapter.

1           7. (1) After the election authority completes its review of the provisional voter's eligibility  
2 under subsection 5 of this section, the election authority shall deliver the provisional ballots and  
3 copies of the provisional ballot envelopes that include eligibility information to bipartisan counting  
4 teams, which may be the board of verification, for review and tabulation. The election authority  
5 shall maintain a record of such delivery. The record shall include the number of ballots delivered to  
6 each team and shall include a signed receipt from two judges, one from each major political party.  
7 The election authority shall provide each team with a ballot box and material necessary for  
8 tabulation.

9           (2) If the person named on the provisional ballot affidavit is found to have been properly  
10 qualified and registered to cast a ballot in the election and the provisional ballot otherwise qualifies  
11 to be counted under the provisions of this section, the envelope shall be opened, and the ballot shall  
12 be placed in a ballot box to be counted.

13           (3) If the person named on the provisional ballot affidavit is found not to have been properly  
14 qualified and registered to cast a ballot in the election or if the election authority is unable to  
15 determine such person's right to vote, the envelope containing the provisional ballot shall not be  
16 opened, and the person's vote shall not be counted. The members of the team shall follow the  
17 procedures set forth in subsection 5 of this section for rejected provisional ballots.

18           (4) The votes shall be tallied and the returns made as provided in sections 115.447 to  
19 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted, the  
20 ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by  
21 the election authority shall be enclosed in sealed containers marked "Voted provisional ballots and  
22 ballot envelopes from the election held \_\_\_\_\_, 20\_\_\_\_\_". All rejected provisional ballots, ballot  
23 envelopes, and copies of ballot envelopes with the eligibility information provided by the election  
24 authority shall be enclosed in sealed containers marked "Rejected provisional ballots and ballot  
25 envelopes from the election held \_\_\_\_\_, 20\_\_\_\_\_". On the outside of each voted ballot and  
26 rejected ballot container, each member of the team shall write their name and all such containers  
27 shall be returned to the election authority. Upon receipt of the returns and ballots, the election  
28 authority shall tabulate the provisional votes.

29           8. Challengers and watchers, as provided by sections 115.105 and 115.107, may be present  
30 during all times that the bipartisan counting teams are reviewing or counting the provisional ballots,  
31 the provisional ballot envelopes, or copies of the provisional ballot envelopes that include eligibility  
32 information provided by the election authority. Challengers and watchers shall be permitted to  
33 observe the determination of the eligibility of all provisional ballots. The election authority shall  
34 notify the county chair of each major political party of the time and location when bipartisan  
35 counting teams will be reviewing or counting the provisional ballots, the provisional ballot  
36 envelopes, or the copies of the provisional ballot envelopes that include the eligibility information  
37 provided by the election authority.

38           9. The certificate of ballot cards shall:

39           (1) Reflect the number of provisional envelopes delivered; and

1 (2) Reflect the number of sealed provisional envelopes with voted ballots deposited in the  
2 ballot box.

3 10. In counties where the voting system does not utilize a paper ballot, the election authority  
4 shall provide the appropriate provisional ballots to each polling place.

5 11. The secretary of state may promulgate rules for purposes of ensuring the uniform  
6 application of this section. No rule or portion of a rule promulgated pursuant to the authority of this  
7 section shall become effective unless it has been promulgated pursuant to chapter 536.

8 12. The secretary of state shall design and provide to the election authorities the envelopes  
9 and forms necessary to carry out the provisions of this section.

10 13. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure a free  
11 access system is established, such as a toll-free number or an internet website, that any individual  
12 who casts a provisional ballot may access to discover whether the vote of that individual was  
13 counted, and, if the vote was not counted, the reason that the vote was not counted. At the time an  
14 individual casts a provisional ballot, the election authority shall give the voter written information  
15 that states that any individual who casts a provisional ballot will be able to ascertain under such free  
16 access system whether the vote was counted, and if the vote was not counted, the reason that the  
17 vote was not counted.

18 14. In accordance with the Help America Vote Act of 2002, any individual who votes in an  
19 election as a result of a court order or any other order extending the time established for closing the  
20 polls in section 115.407 may vote only by using a provisional ballot, and such provisional ballot  
21 shall be separated and held apart from other provisional ballots cast by those not affected by the  
22 order. Such ballots shall not be counted until such time as the ballots are determined to be valid.  
23 No state court shall have jurisdiction to extend the polling hours established by law, including  
24 section 115.407.

25 115.635. The following offenses, and any others specifically so described by law, shall be  
26 class three election offenses and are deemed misdemeanors connected with the exercise of the right  
27 of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more  
28 than one year or by fine of not more than two thousand five hundred dollars, or by both such  
29 imprisonment and fine:

30 (1) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to procure,  
31 any money or valuable consideration, office, or place of employment, to or for any voter, to or for  
32 any person on behalf of any voter, or to or for any person, in order to induce any voter to vote or  
33 refrain from voting or corruptly doing any such act on account of such voter having already voted or  
34 refrained from voting at any election;

35 (2) Making use of, or threatening to make use of, any force, violence, or restraint, or  
36 inflicting or threatening to inflict any injury, damage, harm or loss upon or against any person, in  
37 order to induce or compel such person to vote or refrain from voting at any election;

38 (3) Impeding or preventing, or attempting to impede or prevent, by abduction, duress or any  
39 fraudulent device or contrivance, the free exercise of the franchise of any voter or, by abduction,

1 duress, or any fraudulent device, compelling, inducing, or prevailing upon any voter to vote or  
2 refrain from voting at any election;

3 (4) Giving, or making an agreement to give, any money, property, right in action, or other  
4 gratuity or reward, in consideration of any grant or deputation of office;

5 (5) Bringing into this state any nonresident person with intent that such person shall vote at  
6 an election without possessing the requisite qualifications;

7 (6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or other  
8 device or agreeing or contracting for any money, gift, office, employment, or other reward, for  
9 giving, or refraining from giving, his or her vote in any election;

10 (7) Removing, destroying or altering any supplies or information placed in or near a voting  
11 booth for the purpose of enabling a voter to prepare his or her ballot;

12 (8) Entering a voting booth or compartment except as specifically authorized by law;

13 (9) On the part of any election official, challenger, watcher or person assisting a person to  
14 vote, revealing or disclosing any information as to how any voter may have voted, indicated that the  
15 person had voted except as authorized by this chapter, indicated an intent to vote or offered to vote,  
16 except to a grand jury or pursuant to a lawful subpoena in a court proceeding relating to an election  
17 offense;

18 (10) On the part of any registration or election official, refusing to permit any person to  
19 register to vote or to vote when such official knows the person is legally entitled to register or  
20 legally entitled to vote;

21 (11) Attempting to commit or participating in an attempt to commit any class one or class  
22 two election offense[-];

23 (12) Threatening to harm or engaging in conduct reasonably calculated to harass or alarm,  
24 including stalking pursuant to section 565.227, an election judge, challenger, watcher, or employee  
25 or volunteer of an election authority, or a member of such person's family;

26 (13) Attempting to induce, influence, deceive, or pressure an election official or member of  
27 an election official's family to violate any provision of this chapter;

28 (14) Disseminating, through any means, including by posting on the internet, the home  
29 address, home telephone number, mobile telephone number, personal email address, social security  
30 number, federal tax identification number, checking account number, savings account number, credit  
31 card number, marital status, or identity of a child under eighteen years of age, of an election judge,  
32 challenger, watcher, or employee or volunteer of an election authority, or a member of such person's  
33 family, for the purposes listed in subdivisions (12) and (13) of this section.

34 115.637. The following offenses, and any others specifically so described by law, shall be  
35 class four election offenses and are deemed misdemeanors not connected with the exercise of the  
36 right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not  
37 more than one year or by a fine of not more than two thousand five hundred dollars or by both such  
38 imprisonment and fine:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (18) Exit polling, surveying, sampling, circulating initiative or referendum petitions,  
 18 electioneering, distributing election literature, posting signs or placing vehicles bearing signs with  
 19 respect to any candidate or question to be voted on at an election [~~on election day~~] inside the  
 20 building in which a polling place is located on election day or during the absentee voting period or  
 21 within twenty-five feet of the building's outer door closest to the polling place on election day or  
 22 during the absentee voting period, or, on the part of any person, refusing to remove or permit  
 23 removal from property owned or controlled by such person, any such election sign or literature  
 24 located within such distance on such day after request for removal by any person;

25 (19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on  
 26 private property, except that this subdivision shall not be construed to interfere with the right of any  
 27 private property owner to take any action with regard to campaign yard signs on the owner's  
 28 property and this subdivision shall not be construed to interfere with the right of any candidate, or  
 29 the candidate's designee, to remove the candidate's campaign yard sign from the owner's private  
 30 property after the election day."; and

31  
 32 Further amend said bill,"; and

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

36  
 37 THIS AMENDS 0696H03.02H