

SECOND REGULAR SESSION

HOUSE BILL NO. 2904

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GREGORY.

5636H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.135 and 115.427, RSMo, and to enact in lieu thereof two new sections relating to voter registration.

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

Section A. Sections 115.135 and 115.427, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 115.135 and 115.427, to read as follows:

115.135. 1. Any person who is qualified to vote, or who shall become qualified to
2 vote on or before the day of election, shall be entitled to register in the jurisdiction within
3 which he or she resides. In order to vote in any election for which registration is required, a
4 person must be registered to vote in the state of Missouri no later than 5:00 p.m., or the
5 normal closing time of any public building where the registration is being held if such time is
6 later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an
7 interstate former resident, a new resident, or a covered voter, as defined in section 115.275.
8 Any person registering after such date shall be eligible to vote in subsequent elections.

9 2. A person applying to register with an election authority or a deputy registration
10 official shall identify himself or herself by presenting a copy of a birth certificate, a Native
11 American tribal document, other proof of United States citizenship, a valid Missouri drivers
12 license or other form of personal identification at the time of registration. **For the purposes**
13 **of voter registration only, a Missouri drivers license that has expired within sixty days of**
14 **the date the person is registering to vote shall be considered valid.**

15 3. Except as provided in federal law or federal elections and in section 115.277, no
16 person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his
17 or her residence.

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.

18 4. A covered voter as defined in section 115.275 who has been discharged from
19 military service, has returned from a military deployment or activation, or has separated from
20 employment outside the territorial limits of the United States after the deadline to register to
21 vote, and who is otherwise qualified to register to vote, may register to vote in an election in
22 person before the election authority until 5:00 p.m. on the Friday before such election. Such
23 persons shall produce sufficient documentation showing evidence of qualifying for late
24 registration pursuant to this section.

25 **5. If a person registers to vote with a drivers license, his or her voter registration**
26 **shall expire on the same date as the drivers license expires. If a person registers to vote**
27 **with any other approved form of identification, his or her voter registration shall expire**
28 **six years after the date of registration.**

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 the
4 election authority by presenting a form of personal photo identification to election officials.
5 No form of personal photo identification other than the forms listed in this section shall be
6 accepted to establish a voter's qualifications to vote. Forms of personal photo identification
7 that 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~~] **within the**
17 **last six months;** and
 - 18 (d) The document was issued by the United States or the state of Missouri; or
- 19 (4) Any identification containing a photograph of the individual which is issued by
20 the Missouri National Guard, the United States Armed Forces, including the Space Force, or
21 the United States Department of Veteran Affairs to a member or former member of the
22 Missouri National Guard or the United States Armed Forces, including the Space Force, and
23 that is not expired or does not have an expiration date.

24 2. (1) An individual who appears at a polling place without a form of personal
25 identification described in subsection 1 of this section and who is otherwise qualified to vote
26 at that polling place shall be allowed to cast a provisional ballot. The election judges shall

27 make a notation on the provisional ballot envelope to indicate that the voter's identity was not
28 verified.

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

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

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

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

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

43 a. Nonexpired Missouri driver's license;

44 b. Nonexpired or nonexpiring Missouri nondriver's license;

45 c. A document that satisfies all of the following requirements:

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

48 (ii) The document contains my photograph;

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

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

54 d. Identification containing my photograph issued to me by the
55 Missouri National Guard, the United States Armed Forces, including
56 Space Force, or the United States Department of Veteran Affairs as a
57 member or former member of the Missouri National Guard or the
58 United States Armed Forces that is not expired or does not have an
59 expiration date; or

60 (b) The election authority verifies my identity by comparing my
61 signature on this envelope to the signature on file with the election
62 authority and determines that I was eligible to cast a ballot at this
63 polling place; and

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

66	_____	_____
67	Signature of Voter	Date
68	_____	_____
69	Signature of Election Officials	

70

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

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

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

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

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

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

84 6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the
85 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any
86 otherwise qualified voter who does not already possess such identification and who desires
87 the identification for voting.

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

91 (a) A birth certificate;

92 (b) A marriage license or certificate;

93 (c) A divorce decree;

94 (d) A certificate of decree of adoption;

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

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

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

99

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

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

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

117 8. The precinct register shall serve as the voter identification certificate. The
 118 following form shall be printed at the top of each page of the precinct register:

119 VOTER'S IDENTIFICATION CERTIFICATE
 120 Warning: It is against the law for anyone to vote, or attempt to vote,
 121 without having a lawful right to vote.
 122 PRECINCT
 123 WARD OR TOWNSHIP _____
 124 GENERAL (SPECIAL, PRIMARY) ELECTION
 125 Held _____, 20_____
 126 Date
 127 I hereby certify that I am qualified to vote at this election by signing
 128 my name and verifying my address by signing my initials next to my
 129 address.

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

132 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
 133 created under the authority delegated in this section shall become effective only if it complies
 134 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
 135 This section and chapter 536 are nonseverable and if any of the powers vested with the
 136 general assembly pursuant to chapter 536 to review, to delay the effective date or to

137 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
138 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
139 and void.

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

✓