

HCS HB 2895 -- ELECTIONS

SPONSOR: Gregory

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elections and Elected Officials by a vote of 13 to 3 and 1 present.

The following is a summary of the House Committee Substitute for HB 2895.

This bill allows the officer or agency calling an election to notify the election authority responsible for conducting the election of an election via email.

Currently, the filing time for declarations of candidacy for offices in political subdivisions or special districts not otherwise specified in law or charter is from the 17th Tuesday prior to the election through the 14th Tuesday prior to the election.

This bill moves the filing time by one week, from the 16th Tuesday prior to the election to the 13th Tuesday prior to the election. The bill also specifies that if the 13th Tuesday prior to the election is a State or Federal holiday, the closing filing date will be the next day that is not a State or Federal holiday.

This bill specifies that the election authority for a political subdivision or special district must label taxation-related ballot measures submitted by the political subdivision or special district numerically or alphabetically, and that ballot measures cannot be labeled in any descriptive manner.

Currently, covered voters eligible to register to vote, interstate former residents, and new residents may vote by absentee ballot for presidential and vice presidential electors. This bill allows such voters to vote at the office of the election authority on election day for such electors.

The bill specifies that lists of absentee voters with permanent disabilities be kept confidential and not be posted or displayed in an area open to the public nor shown to any unauthorized person.

Currently, each absentee ballot received by the election authority must be marked as received on the list and if any of the statements on any ballot envelope have not been completed, the absentee ballot is rejected.

This bill adds that the election authority compare the signature on the ballot envelope with the signature of the voter on the voter's registration record and if the signature is inconsistent with the voter's signature on the voter's registration record, the envelope will be rejected.

Currently, provisional ballots are available at elections where Federal or statewide candidates or statewide ballot measures are on the ballot. This bill makes provisional ballots available at any public election.

This bill adds threatening to harm or engaging in conduct reasonably calculated to harass or alarm an election official or member of one's family, attempting to pressure an election official to violate a provision of election law, and doxxing an election official or member of one's family as class three election offenses. If the prohibited activity results in death or bodily injury to an election official or member of the official's family, the offense shall be a class B felony.

Currently, electioneering activities are prohibited within a certain distance of a polling location on election day. This bill applies the same restrictions to locations where in-person absentee voting occurs during the absentee voting period. The bill also adds circulating initiative and referendum petitions to this list of prohibited activities within a certain distance of a polling location.

The bill repeals an existing sunset on a statutory provision granting the Secretary of State's office subpoena power for the purpose of investigating allegations of election offenses.

This bill reinstates the presidential preference primary election, to be held statewide on the first Tuesday after the first Monday in April of each presidential election year. The results of the presidential preference primary will be binding on the State convention of each established political party, with all delegates at each such State convention being awarded to that party's winner in the election.

Anyone who files a request to be included on the presidential primary ballot is not prohibited from filing or appearing on any ballot as a party candidate for nomination to another office.

The bill specifies that on or before the 10th Tuesday prior to the date of the presidential preference primary, the Secretary of State will announce the official list of presidential candidates for each established political party.

Candidates seeking to be placed on the presidential preference primary ballot must, between the 15th and 11th Tuesdays prior to the election, submit a written request to be included on the ballot to the Secretary of State, along with either a filing fee of \$5,000 or a petition signed by at least 5,000 registered Missouri voters.

All primary election laws not inconsistent with the provisions of the bill are applicable to the conduct of the presidential preference primary. In a presidential preference primary, candidates of all parties may appear on the same ballot, provided that each voter be entitled to vote for only one candidate.

All costs of a presidential preference primary will be paid by the State, except that, costs shall be shared proportionately by the State and any political subdivisions and special districts holding an election on the same date. For any county with more than 500 polling places, the State must assist in assuring adequate poll workers and equipment.

This bill establishes the "Missouri Elections Sovereignty Act", which specifies that the State of Missouri reserves the right to determine the time, place, and manner of its own State elections, and declares that any Federal laws regulating the same will apply only to Federal elections.

This bill is the same as HB 1525 (2024).

PROPOSERS: Supporters say that there is a growing and nearly unanimous feeling among the electorate that caucuses are backwards and exclusionary. The recent caucus had a less than 1% statewide turnout. Low turnout and confusion about the process reduces public trust in the legitimacy of our elections. The caucus process is completely unaccessible to wide swaths of the electorate. The parties don't have the same equipment and infrastructure as does the state. The cost of a statewide primary is a small price to pay to allow the public to be heard and increase public trust in elections.

Testifying in person for the bill were Representative Gregory; Missouri Farm Bureau; Connor Luebbert, Missouri Voter Protection Coalition; Arnie C. Dienoff; Teona McGhaw, Missouri Women's Political Coalition; and Paraquad, Inc..

OPPOSERS: Those who oppose the bill say that local election authorities are placed in a very difficult position because of the traditional date of the presidential preference primary. They're essentially running two elections at once, causing great confusion in their offices and among voters and putting tremendous strain on their already limited resources.

Testifying in person against the bill were Liberty Link Missouri; Warren County Republican Committee; and Missouri Association of County Clerks and Election Authorities.

OTHERS: Others testifying on the bill made themselves available to answer questions asked throughout the hearing.

Testifying in person on the bill was Trish Vincent.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.