

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 2, Page 14, Section 105.145, Line 88, by
2 inserting after all of said section and line the following:

3
4 "115.158. 1. The secretary of state shall implement a centralized, interactive computerized
5 statewide voter registration list. This computerized list shall be known as the "Missouri Voter
6 Registration System". The system shall be implemented by January 1, 2004, unless a waiver is
7 obtained pursuant to the Help America Vote Act of 2002. If a waiver is obtained, the system shall
8 be implemented by January 1, 2006. The system shall be maintained and administered by the
9 secretary of state and contain the name and registration information of every legally registered voter
10 in Missouri. In addition, the system shall:

- 11 (1) Assign a unique identifier to each legally registered voter in Missouri;
12 (2) Serve as the single system for storing and managing the official list of registered voters
13 throughout Missouri;
14 (3) Be coordinated with other agency databases in Missouri;
15 (4) Allow any election official in Missouri, including local election authorities, immediate
16 electronic access to the information contained in the system;
17 (5) Allow all voter registration information obtained by any local election official in
18 Missouri to be electronically entered into the system on an expedited basis at the time the
19 information is provided to the local official. The secretary of state, as the chief state election
20 official, shall provide such support as may be required so that local election officials are able to
21 enter the registration information; and
22 (6) Serve as the official voter registration list for the conduct of all elections in Missouri.

23 2. The secretary of state and local election authorities shall perform system maintenance on
24 a regular basis, which shall include:

- 25 (1) Removing names in accordance with the provisions and procedures of the National Voter
26 Registration Act of 1993 and coordinating system maintenance activities with state agency records
27 on death and felony status;
28 (2) Requiring the name of each registered voter to appear in the system;
29 (3) Removing only voters who are not registered or who are not eligible to vote; and
30 (4) Eliminating duplicate names from the system.

Action Taken _____ Date _____

1 3. The secretary of state shall provide adequate technological security measures to prevent
2 the unauthorized access to the system established pursuant to this section.

3 4. The secretary of state shall develop procedures to ensure that voter registration records
4 within the system are accurate and updated regularly. At a minimum, the procedures shall include:

5 (1) A system of file maintenance that makes a reasonable effort to remove registrants who
6 are ineligible to vote. Consistent with the National Voter Registration Act of 1993, registrants who
7 have not responded to a notice and who have not voted in two consecutive general elections for
8 federal office shall be removed from the official list of eligible voters, except that no registrant may
9 be removed solely by reason of a failure to vote; and

10 (2) Safeguards to ensure that eligible voters are not removed in error.

11 5. Voter registration information shall be verified in accordance with the Help America Vote
12 Act of 2002.

13 (1) Except as provided in subdivision (2) of this subsection, an application for voter
14 registration may not be accepted or processed unless the application includes:

15 (a) In the case of an applicant who has been issued a current and valid driver's license, the
16 applicant's driver's license number; or

17 (b) In the case of any other applicant, other than an applicant to whom subdivision (2)
18 applies, the last four digits of the applicant's Social Security number.

19 (2) If an applicant for voter registration has not been issued a current and valid driver's
20 license or a Social Security number, the applicant shall be assigned a number which will serve to
21 identify the applicant for voter registration purposes. The number assigned under this subdivision
22 shall be used as the unique identifying number within the system.

23 (3) The secretary of state and the director of the department of revenue shall enter into an
24 agreement to match information in the database of the voter registration system with information in
25 the database of the motor vehicle system, which shall include information pertaining to the
26 citizenship status of those within the department of revenue's database, to enable the secretary to
27 verify the accuracy of information provided on applications for voter registration.

28 (4) The director of the department of revenue shall enter into an agreement with the
29 commissioner of Social Security and comply with the Help America Vote Act of 2002.

30 6. In addition to using the system for voter registration, the election authorities and secretary
31 of state may use the system for the collection and dissemination of election results and other
32 pertinent information. Any information contained in any state or local voter registration system,
33 limited to the master voter registration list or any other list generated from the information, subject
34 to chapter 610, shall not be used for commercial purposes; provided, however, that the information
35 may be used for elections, for candidates, or for ballot measures, furnished at a reasonable fee.
36 Violation of this section shall be a class B misdemeanor. For purposes of this section, "commercial
37 purposes" means the use of a public record for the purpose of sale or resale or for the purpose of
38 producing a document containing all or part of the copy, printout, or photograph for sale or the
39 obtaining of names and addresses from public records for the purpose of solicitation or the sale of

1 names and addresses to another for the purpose of solicitation or for any purpose in which the
2 purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of
3 the public record.

4 7. The secretary of state shall establish an advisory committee to assist in the establishment
5 and maintenance of the Missouri voter registration system.

6 8. The secretary of state may promulgate rules to execute this section. No rule or portion of
7 a rule promulgated pursuant to the authority of this section shall become effective unless it has been
8 promulgated pursuant to chapter 536.

9 9. Election authorities and any agency required under the National Voter Registration Act of
10 1993 to accept voter registration applications shall forward registration and other data in a manner
11 prescribed by the secretary of state to assist with administering and maintaining the Missouri voter
12 registration system in accordance with the Help America Vote Act of 2002.

13 115.642. 1. Any person may file a complaint with the secretary of state stating the name of
14 any person who has violated any of the provisions of sections 115.629 to 115.646 and stating the
15 facts of the alleged offense, sworn to, under penalty of perjury.

16 2. Within thirty days of receiving a complaint, the secretary of state shall notify the person
17 filing the complaint whether or not the secretary has dismissed the complaint or will commence an
18 investigation. The secretary of state shall dismiss frivolous complaints. For purposes of this
19 subsection, "frivolous complaint" shall mean an allegation clearly lacking any basis in fact or law.
20 Any person who makes a frivolous complaint pursuant to this section shall be liable for actual and
21 compensatory damages to the alleged violator for holding the alleged violator before the public in a
22 false light. If reasonable grounds appear that the alleged offense was committed, the secretary of
23 state may issue a probable cause statement. If the secretary of state issues a probable cause
24 statement, he or she may refer the offense to the appropriate prosecuting attorney.

25 3. Notwithstanding the provisions of section 27.060, 56.060, or 56.430 to the contrary, when
26 requested by the prosecuting attorney or circuit attorney, the secretary of state or his or her
27 authorized representatives may aid any prosecuting attorney or circuit attorney in the
28 commencement and prosecution of election offenses as provided in sections 115.629 to 115.646.

29 4. (1) The secretary of state may investigate any suspected violation of any of the
30 provisions of sections 115.629 to 115.646.

31 (2) (a) The secretary of state or an authorized representative of the secretary of state shall
32 have the power to require the production of books, papers, correspondence, memoranda, contracts,
33 agreements, and other records by subpoena or otherwise when necessary to conduct an investigation
34 under this section. Such powers shall be exercised only at the specific written direction of the
35 secretary of state or his or her chief deputy.

36 (b) If any person refuses to comply with a subpoena issued under this subsection, the
37 secretary of state may seek to enforce the subpoena before a court of competent jurisdiction to
38 require the production of books, papers, correspondence, memoranda, contracts, agreements, and
39 other records. The court may issue an order requiring the person to produce records relating to the

1 matter under investigation or in question. Any person who fails to comply with the order may be
 2 held in contempt of court.

3 ~~[(c) The provisions of this subdivision shall expire on August 28, 2025.]~~"; and

4
 5 Further amend said bill, Page 27, Section 139.053, Line 25, by inserting after said section and line
 6 the following:

7
 8 "347.740. The secretary of state may collect an additional fee of five dollars on each and
 9 every fee required in this chapter. All fees collected as provided in this section shall be deposited in
 10 the state treasury and credited to the secretary of state's technology trust fund account. The
 11 provisions of this section shall expire on December 31, ~~[2026]~~ 2030.

12 351.127. The secretary of state may collect an additional fee of five dollars on each and
 13 every fee required in this chapter, provided that the secretary of state may collect an additional fee
 14 of ten dollars on each corporate registration report fee filed under section 351.122. All fees
 15 collected as provided in this section shall be deposited in the state treasury and credited to the
 16 secretary of state's technology trust fund account. The provisions of this section shall expire on
 17 December 31, ~~[2026]~~ 2030.

18 355.023. The secretary of state may collect an additional fee of five dollars on each and
 19 every fee required in this chapter. All fees collected as provided in this section shall be deposited in
 20 the state treasury and credited to the secretary of state's technology trust fund account. The
 21 provisions of this section shall expire on December 31, ~~[2026]~~ 2030.

22 356.233. The secretary of state may collect an additional fee of five dollars on each and
 23 every fee required in this chapter. All fees collected as provided in this section shall be deposited in
 24 the state treasury and credited to the secretary of state's technology trust fund account. The
 25 provisions of this section shall expire on December 31, ~~[2026]~~ 2030.

26 359.653. The secretary of state may collect an additional fee of five dollars on each and
 27 every fee required in this chapter. All fees collected as provided in this section shall be deposited in
 28 the state treasury and credited to the secretary of state's technology trust fund account. The
 29 provisions of this section shall expire on December 31, ~~[2026]~~ 2030.

30 400.9-528. The secretary of state may collect an additional fee of five dollars on each and
 31 every fee paid to the secretary of state as required in chapter 400.9. All fees collected as provided in
 32 this section shall be deposited in the state treasury and credited to the secretary of state's technology
 33 trust fund account. The provisions of this section shall expire on December 31, ~~[2026]~~ 2030.

34 417.018. The secretary of state may collect an additional fee of five dollars on each and
 35 every fee required in this chapter. All fees collected as provided in this section shall be deposited in
 36 the state treasury and credited to the secretary of state's technology trust fund account. The
 37 provisions of this section shall expire on December 31, ~~[2026]~~ 2030."; and

38
 39 Further amend said bill by amending the title, enacting clause, and intersectional references
 40 accordingly.