

SECOND REGULAR SESSION

# HOUSE BILL NO. 2114

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE STEINHOFF.

4892H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 115.427, RSMo, and to enact in lieu thereof two new sections relating to elections.

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

Section A. Section 115.427, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 115.427 and 115.640, to read as follows:

- 115.427. 1. Persons seeking to vote in a public election shall establish their identity and eligibility to vote at the polling place or, if voting absentee in person under section 115.277, at the office of the election authority or other authorized location designated by the election authority by presenting a form of personal photo identification to election officials. No form of personal photo identification other than the forms listed in this section shall be accepted to establish a voter's qualifications to vote. Forms of personal photo identification that satisfy the requirements of this section are any one of the following:
- (1) Nonexpired Missouri driver's license;
  - (2) Nonexpired or nonexpiring Missouri nondriver's license;
  - (3) **A nonexpired student identification card issued by a Missouri high school, as defined in section 160.011, or an accredited institution of higher education within the state of Missouri;**
  - (4) A document that satisfies all of the following requirements:
    - (a) The document contains the name of the individual to whom the document was issued, and the name substantially conforms to the most recent signature in the individual's voter registration record;
    - (b) The document shows a photograph of the individual;

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

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

21 ~~[(4)]~~ (5) Any identification containing a photograph of the individual which is issued  
22 by the Missouri National Guard, the United States Armed Forces, including the Space Force,  
23 or the United States Department of Veteran Affairs to a member or former member of the  
24 Missouri National Guard or the United States Armed Forces, including the Space Force, and  
25 that is not expired or does not have an expiration date.

26 2. (1) An individual who appears at a polling place without a form of personal  
27 identification described in subsection 1 of this section and who is otherwise qualified to vote  
28 at that polling place shall be allowed to cast a provisional ballot. The election judges shall  
29 make a notation on the provisional ballot envelope to indicate that the voter's identity was not  
30 verified.

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

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

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

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

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

45 a. Nonexpired Missouri driver's license;

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

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

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

50 (ii) The document contains my photograph;

51 (iii) The document contains an expiration date and is not expired, or if  
52 expired, the document expired after the date of the most recent general  
53 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

**e. Nonexpired student identification card issued by a Missouri high school, as defined in section 160.011, or an accredited institution of higher education within the state of Missouri; 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

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.

89           6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the  
90 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any  
91 otherwise qualified voter who does not already possess such identification and who desires  
92 the identification for voting.

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

96           (a) A birth certificate;

97           (b) A marriage license or certificate;

98           (c) A divorce decree;

99           (d) A certificate of decree of adoption;

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

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

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

104

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

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

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

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

124

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.

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

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

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

**115.640. 1. Any student entitled to vote at any election held within this state  
shall, on the day of such election, be entitled to absent himself or herself from school for  
a period of three hours between the time of opening and the time of closing the polls for  
the purpose of voting, and any absence for such purpose shall be counted as excused,  
and such student, if he or she votes, shall not, because of so absenting himself or herself,  
be liable to any penalty or discipline, provided that a request shall be made for such  
leave of absence prior to the day of such election. The school may designate any three  
hours between the time of opening and the time of closing the polls during which such  
student may absent himself or herself.**

**2. Each school district shall adopt and implement a written policy relating to  
absences excused under this section beginning with the 2026-27 school year. The  
department of elementary and secondary education shall develop a model policy**

13 relating to absences excused under this section that all school districts may adopt. Such  
14 policy shall be completed and made available to school districts beginning with the 2026-  
15 27 school year.

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