

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1871

103RD GENERAL ASSEMBLY

5033S.05C

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 108.240, 115.125, 115.127, 115.233, 115.277, 115.284, 115.306, 115.427, 115.430, 115.453, 115.637, and 115.646, RSMo, and to enact in lieu thereof thirteen new sections relating to elections, with penalty provisions.

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

Section A. Sections 108.240, 115.125, 115.127, 115.233,  
2 115.277, 115.284, 115.306, 115.427, 115.430, 115.453, 115.637,  
3 and 115.646, RSMo, are repealed and thirteen new sections  
4 enacted in lieu thereof, to be known as sections 9.515, 108.240,  
5 115.125, 115.127, 115.233, 115.277, 115.284, 115.306, 115.427,  
6 115.430, 115.453, 115.637, and 115.646, to read as follows:

**9.515. August twelfth each year is hereby designated  
2 as "Election Worker Appreciation Day" in Missouri. The  
3 citizens of this state are encouraged to participate in  
4 appropriate events and activities to celebrate the essential  
5 contributions of election workers and express appreciation  
6 for the vital role they play in elections.**

108.240. 1. Before any general obligation bearer bond  
2 or general obligation registered bond, hereafter issued by  
3 any county, township, city, town, village or school district  
4 or special road district or fire protection district or by  
5 virtue of the provisions of chapters 243, 245, 248, and

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

6 sections 242.010 to 242.690 for any purpose whatever, shall  
7 obtain validity or be negotiated:

8 (1) If such bonds are in bearer form, such bonds shall  
9 first be presented to the state auditor, who, other  
10 provisions of law notwithstanding, shall certify by manual  
11 or facsimile endorsement of such bonds that all conditions  
12 of the laws have been complied with in its issue, if that be  
13 the case, and also that the conditions of the contract,  
14 under which they were ordered to be issued, have also been  
15 complied with and the evidence of that fact shall be filed  
16 and preserved by the auditor. The state auditor may endorse  
17 bearer bonds with the auditor's facsimile signature in lieu  
18 of manual signature after filing the auditor's manual  
19 signature, certified by the auditor under oath, with the  
20 secretary of state; and

21 (2) If such bonds are in registered form, the  
22 proceedings relating to the issuance of such registered  
23 bonds shall first be presented to the state auditor, who  
24 shall examine the same and shall issue a certificate that  
25 such proceedings comply with all conditions of the laws, if  
26 that be the case, and also that the conditions of the  
27 contract, under which they were ordered to be issued, have  
28 also been complied with, and the evidence of these facts  
29 shall be filed and preserved by the auditor. The state  
30 auditor shall also maintain the following information: the  
31 name of the issuer of the bonds; the amount thereof; the  
32 maturity dates thereof; the interest rates thereon; and the  
33 provisions with respect to prepayment, if any.

34 2. Such bearer bonds after receiving the said  
35 certificate of the auditor as herein provided and such  
36 registered bonds after the issuance of the said certificate  
37 as herein provided shall thereafter be held in every action,

38 suit or proceeding in which their validity is, or may be,  
39 brought into question, prima facie, valid and binding  
40 obligations, and in every action brought to enforce  
41 collection of such bonds, the certificate of such auditor,  
42 or a duly certified copy thereof, shall be admitted and  
43 received in evidence of the validity of such bonds, together  
44 with the coupons thereto attached if any; provided, the only  
45 defense which can be offered against the validity of such  
46 bonds shall be for forgery or fraud. But this section shall  
47 not be construed to give validity to any such bonds as may  
48 be issued in excess of the limit fixed by the constitution,  
49 or contrary to its provisions, but all such bonds shall, to  
50 the extent of such excess, be held void; and provided  
51 further, that the remedy of injunction shall also lie at the  
52 instance of any taxpayer of the respective county, city,  
53 town, village, township or school district or special road  
54 district or fire protection district or drainage district or  
55 levy district to prevent the registration of any bonds,  
56 alleged to be illegally issued or funded.

57 **3. For purposes of subsection 1 of this section, once**  
58 **the time period set forth in section 115.557 has expired, if**  
59 **no election contest has been brought, all conditions of**  
60 **chapter 115 shall be deemed as having been complied with in**  
61 **the issuance of the bond.**

115.125. 1. Not later than 5:00 p.m. on the tenth  
2 Tuesday prior to any election, except a special election to  
3 decide an election contest, tie vote or an election to elect  
4 seven members to serve on a school board of a district  
5 pursuant to section 162.241, or a delay in notification  
6 pursuant to subsection [3] 2 of this section, or pursuant to  
7 the provisions of section 115.399, the officer or agency  
8 calling the election shall notify the election authorities

9 responsible for conducting the election. The notice shall  
10 be in writing, shall specify the name of the officer or  
11 agency calling the election and shall include a certified  
12 copy of the legal notice to be published pursuant to  
13 subsection 2 of section 115.127. The notice and any other  
14 information required by this section may, with the prior  
15 notification to the election authority receiving the notice,  
16 be accepted by **email or** facsimile transmission prior to 5:00  
17 p.m. on the tenth Tuesday prior to the election[, provided  
18 that the original copy of the notice and a certified copy of  
19 the legal notice to be published shall be received in the  
20 office of the election authority within three business days  
21 from the date of the facsimile transmission.

22 2. In lieu of a certified copy of the legal notice to  
23 be published pursuant to subsection 2 of section 115.127,  
24 each notice of a special election to fill a vacancy shall  
25 include the name of the office to be filled, the date of the  
26 election and the date by which candidates must be selected  
27 or filed for the office. Not later than the sixth Tuesday  
28 prior to any special election to fill a vacancy called by a  
29 political subdivision or special district, the officer or  
30 agency calling the election shall certify a sample ballot to  
31 the election authorities responsible for conducting the  
32 election].

33 [3.] 2. Except as provided for in sections 115.247 and  
34 115.359, if there is no additional cost for the printing or  
35 reprinting of ballots or if the political subdivision or  
36 special district calling for the election agrees to pay any  
37 printing or reprinting costs, a political subdivision or  
38 special district may, at any time after certification of the  
39 notice of election required in subsection 1 of this section,  
40 but no later than 5:00 p.m. on the eighth Tuesday before the

41 election, be permitted to make late notification to the  
42 election authority pursuant to court order, which, except  
43 for good cause shown by the election authority in opposition  
44 thereto, shall be freely given upon application by the  
45 political subdivision or special district to the circuit  
46 court of the area of such subdivision or district. No court  
47 shall have the authority to order an individual or issue be  
48 placed on the ballot less than eight weeks before the date  
49 of the election.

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

23 published in any two of the newspapers within one week prior  
24 to the election.

25       2. Except as provided in subsections 1 and 4 of this  
26 section and in sections 115.521, 115.549 and 115.593, the  
27 election authority shall cause legal notice of each election  
28 held in its jurisdiction to be published. The notice shall  
29 be published in two newspapers of different political faith  
30 and qualified pursuant to chapter 493 which are published  
31 within the bounds of the area holding the election. If  
32 there is only one so-qualified newspaper, then notice shall  
33 be published in only one newspaper. If there is no  
34 newspaper published within the bounds of the election area,  
35 then the notice shall be published in two qualified  
36 newspapers of different political faith serving the area.  
37 Notice shall be published twice[, the first publication  
38 occurring in the second week prior to the election, and the  
39 second publication occurring] within [one week] **six weeks**  
40 prior to the election. Each such legal notice shall include  
41 the date and time of the election, the name of the officer  
42 or agency calling the election and a sample ballot; and,  
43 unless notice has been given as provided by section 115.129,  
44 the second publication of notice of the election shall  
45 include the location of polling places. The election  
46 authority may provide any additional notice of the election  
47 it deems desirable.

48       3. The election authority shall print the official  
49 ballot as the same appears on the sample ballot, and no  
50 candidate's name or ballot issue which appears on the sample  
51 ballot or official printed ballot shall be stricken or  
52 removed from the ballot except on death of a candidate or by  
53 court order, but in no event shall a candidate or issue be

54 stricken or removed from the ballot less than eight weeks  
55 before the date of the election.

56 4. In lieu of causing legal notice to be published  
57 **twice** in accordance with any of the provisions of this  
58 chapter, the election authority [in jurisdictions which have  
59 less than seven hundred fifty registered voters and in which  
60 no newspaper qualified pursuant to chapter 493 is  
61 published,] may cause legal notice to be mailed [during the  
62 second week prior to the election, by first class mail,]  
63 **within six weeks prior to the election** to each registered  
64 voter at the voter's voting address **and published once in**  
65 **one or more newspapers in the county. An election authority**  
66 **may exclude from this mailing any voter that is designated**  
67 **as an inactive voter pursuant to section 115.193.** All such  
68 legal notices shall include the date and time of the  
69 election, the location of the polling place, the name of the  
70 officer or agency calling the election and a sample ballot.

71 5. If the opening date for filing a declaration of  
72 candidacy for any office in a political subdivision or  
73 special district is not required by law or charter, the  
74 opening filing date shall be 8:00 a.m., the [seventeenth]  
75 **sixteenth** Tuesday prior to the election. If the closing  
76 date for filing a declaration of candidacy for any office in  
77 a political subdivision or special district is not required  
78 by law or charter, the closing filing date shall be 5:00  
79 p.m., the [fourteenth] **thirteenth** Tuesday prior to the  
80 election, **or if the thirteenth Tuesday prior to the election**  
81 **is a state or federal holiday, the closing filing date shall**  
82 **be 5:00 p.m. on the next day that is not a state or federal**  
83 **holiday.** The political subdivision or special district  
84 calling an election shall, before the [seventeenth]  
85 **sixteenth** Tuesday, prior to any election at which offices

86 are to be filled, notify the general public of the opening  
87 filing date, the office or offices to be filled, the proper  
88 place for filing and the closing filing date of the  
89 election. Such notification may be accomplished by legal  
90 notice published in at least one newspaper of general  
91 circulation in the political subdivision or special district.

92 6. Except as provided for in sections 115.247 and  
93 115.359, if there is no additional cost for the printing or  
94 reprinting of ballots or if the candidate agrees to pay any  
95 printing or reprinting costs, a candidate who has filed for  
96 an office or who has been duly nominated for an office may,  
97 at any time after the certification of the notice of  
98 election required in subsection 1 of section 115.125 but no  
99 later than 5:00 p.m. on the eighth Tuesday before the  
100 election, withdraw as a candidate pursuant to a court order,  
101 which, except for good cause shown by the election authority  
102 in opposition thereto, shall be freely given upon  
103 application by the candidate to the circuit court of the  
104 area of such candidate's residence.

115.233. [Within] **At least** fourteen days prior to an  
2 election **and no less than one week prior to an election** at  
3 which an electronic voting system is to be used, the  
4 election authority shall have the automatic tabulating  
5 equipment tested to ascertain that the equipment is in  
6 compliance with the law and that it will correctly count the  
7 votes cast for all offices and on all questions. At least  
8 forty-eight hours prior to the test, notice of the time and  
9 place of the test shall be mailed to each independent and  
10 new party candidate and the chairman of the county committee  
11 of each established political party named on the ballot.  
12 The test shall be observed by at least two persons  
13 designated by the election authority, one from each major

14 political party, and shall be open to representatives of the  
15 political parties, candidates, the news media and the  
16 public. The test shall be conducted by processing a  
17 preaudited group of ballots. If any error is detected, the  
18 cause shall be ascertained and corrected, and an errorless  
19 count shall be made before the tabulating equipment is  
20 approved.

115.277. 1. A registered voter of this state may cast  
2 an absentee ballot in person at a location designated by the  
3 election authority for all candidates and issues for which  
4 such voter is eligible to vote at the polling place if such  
5 voter expects to be prevented from going to the polls to  
6 vote on election day due to one of the reasons listed in  
7 subsection 3 of this section. A registered voter casting a  
8 ballot under the provisions of this subsection shall provide  
9 a form of personal photo identification that is consistent  
10 with subsection 1 of section 115.427. Beginning on the  
11 second Tuesday prior to an election, a reason listed under  
12 subsection 3 of this section shall not be required, provided  
13 that, the provisions of section 1.140 to the contrary  
14 notwithstanding, this sentence and section 115.427 shall be  
15 nonseverable, and if any provision of section 115.427 is for  
16 any reason held to be invalid, such decision shall  
17 invalidate this sentence.

18 2. Except as provided in subsections 4, 5, and 6 of  
19 this section, a registered voter of this state may cast an  
20 absentee ballot not in person at a location designated by  
21 the election authority for all candidates and issues for  
22 which such voter would be eligible to vote at the polling  
23 place if such voter expects to be prevented from going to  
24 the polls to vote on election day due to one of the reasons  
25 listed in subsection 3 of this section. An absentee ballot

26 that is not requested and completed in person at the office  
27 of the election authority with a form of personal photo  
28 identification that is consistent with subsection 1 of  
29 section 115.427 shall have the statement on the ballot  
30 envelope notarized as required under section 115.283, except  
31 that absentee ballots requested under subdivisions (2) and  
32 (5) of subsection 3 of this section shall not require  
33 notarization. This subsection shall apply only in the case  
34 of absentee ballots that are not cast in person.

35 3. A voter may request an absentee ballot for any of  
36 the following reasons:

37 (1) Absence on election day from the jurisdiction of  
38 the election authority in which such voter is registered to  
39 vote;

40 (2) Incapacity or confinement due to illness or  
41 physical disability on election day, including a person who  
42 is primarily responsible for the physical care of a person  
43 who is incapacitated or confined due to illness or  
44 disability and resides at the same address;

45 (3) Religious belief or practice;

46 (4) Employment as:

47 (a) An election authority, as a member of an election  
48 authority, or by an election authority at a location other  
49 than such voter's polling place;

50 (b) A first responder;

51 (c) A health care worker; or

52 (d) A member of law enforcement;

53 (5) Incarceration, provided all qualifications for  
54 voting are retained;

55 (6) Certified participation in the address  
56 confidentiality program established under sections 589.660  
57 to 589.681 because of safety concerns.

58           4. Any covered voter who is eligible to register and  
59 vote in this state may vote in any election for federal  
60 office, statewide office, state legislative office, or  
61 statewide ballot initiatives by submitting a federal  
62 postcard application to apply to vote by absentee ballot or  
63 by submitting a federal postcard application at the [polling  
64 place] **office of the election authority on election day**,  
65 even though the person is not registered. A federal  
66 postcard application submitted by a covered voter pursuant  
67 to this subsection shall also serve as a voter registration  
68 application under section 115.908 and the election authority  
69 shall, if satisfied that the applicant is entitled to  
70 register, place the voter's name on the voter registration  
71 file. Each covered voter may vote by absentee ballot or,  
72 upon submitting an affidavit that the person is qualified to  
73 vote in the election, may vote at the person's polling place.

74           5. Any interstate former resident may vote by absentee  
75 ballot **or at the office of the election authority on**  
76 **election day** for presidential and vice presidential electors.

77           6. Any new resident may vote by absentee ballot **or at**  
78 **the office of the election authority on election day** for  
79 presidential and vice presidential electors after  
80 registering to vote in such resident's new jurisdiction of  
81 residence.

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

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

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

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

14           State of \_\_\_\_\_

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

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

25           \_\_\_\_\_  
26           Signature of Voter

27           \_\_\_\_\_  
28           \_\_\_\_\_  
29           Voter's Address

30           5. Not earlier than ten weeks before an election but  
31 prior to the fourth Tuesday prior to an election, the  
32 election authority shall deliver to each voter qualified to  
33 participate as absentee voters pursuant to this section an  
34 absentee ballot application if the voter is eligible to vote  
35 in that election. If the voter returns the absentee request  
36 application to the election authority not later than 5:00  
37 p.m. on the second Wednesday before an election and has  
38 retained the necessary qualifications to vote, the election

39 authority shall provide the voter with an absentee ballot  
40 pursuant to this chapter.

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

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

45 (2) Dies;

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

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

50 **7. All lists of applications under this section shall**  
51 **be kept confidential. Such lists of applications shall not**  
52 **be posted or displayed in an area open to the general**  
53 **public, nor shall such lists of applications be shown to any**  
54 **unauthorized person.**

115.306. 1. No person shall qualify as a candidate  
2 for elective public office in the state of Missouri who has  
3 been found guilty of or pled guilty to a felony under the  
4 federal laws of the United States of America or to a felony  
5 under the laws of this state or an offense committed in  
6 another state that would be considered a felony in this  
7 state.

8 2. (1) Any person who files as a candidate for  
9 election to a public office shall be disqualified from  
10 participation in the election for which the candidate has  
11 filed if such person is delinquent in the payment of any  
12 state income taxes, personal property taxes, municipal  
13 taxes, real property taxes on the place of residence, as  
14 stated on the declaration of candidacy, or if the person is  
15 a past or present corporate officer of any fee office that  
16 owes any taxes to the state.

17           (2) Each potential candidate for election to a public  
18 office, except candidates for a county or city committee of  
19 a political party, shall file an affidavit with the  
20 department of revenue and include a copy of the affidavit  
21 with the declaration of candidacy required under section  
22 115.349. Such affidavit shall be in substantially the  
23 following form:

24                           AFFIRMATION OF TAX PAYMENTS AND BONDING  
25   REQUIREMENTS:

26           I hereby declare under penalties of perjury that I  
27 am not currently aware of any delinquency in the  
28 filing or payment of any state income taxes,  
29 personal property taxes, municipal taxes, real  
30 property taxes on the place of residence, as stated  
31 on the declaration of candidacy, or that I am a  
32 past or present corporate officer of any fee office  
33 that owes any taxes to the state, other than those  
34 taxes which may be in dispute. I declare under  
35 penalties of perjury that I am not aware of any  
36 information that would prohibit me from fulfilling  
37 any bonding requirements for the office for which I  
38 am filing.

39                           \_\_\_\_\_ Candidate's  
40   Signature

41                           \_\_\_\_\_ Printed Name of Candidate  
42

43           (3) Upon receipt of a complaint alleging a delinquency  
44 of the candidate in the filing or payment of any state  
45 income taxes, personal property taxes, municipal taxes, real  
46 property taxes on the place of residence, as stated on the  
47 declaration of candidacy, or if the person is a past or  
48 present corporate officer of any fee office that owes any  
49 taxes to the state, the department of revenue shall

50 investigate such potential candidate to verify the claim  
51 contained in the complaint. If the department of revenue  
52 finds a positive affirmation to be false, the department  
53 shall contact the secretary of state, or the election  
54 official who accepted such candidate's declaration of  
55 candidacy, and the potential candidate. The department  
56 shall notify the candidate of the outstanding tax owed and  
57 give the candidate thirty days to remit any such outstanding  
58 taxes owed which are not the subject of dispute between the  
59 department and the candidate. If the candidate fails to  
60 remit such amounts in full within thirty days, the candidate  
61 shall be disqualified from participating in the current  
62 election and barred from refiling for an entire election  
63 cycle even if the individual pays all of the outstanding  
64 taxes that were the subject of the complaint.

65 **(4) Any person who files as a candidate for election**  
66 **to a public office that performs county functions in a city**  
67 **not within a county shall file an affidavit with the**  
68 **election authority and shall attach thereto official copies**  
69 **of receipts or no-tax-due statements received from the**  
70 **collector and official statements from the collector that**  
71 **indicate the person has paid all taxes due and is not**  
72 **delinquent in any tax. The election authority shall review**  
73 **such documentation and the affirmation of tax payments**  
74 **required under subdivision (2) of this subsection.**

115.427. 1. Persons seeking to vote in a public  
2 election shall establish their identity and eligibility to  
3 vote at the polling place or, if voting absentee in person  
4 under section 115.277, at the office of the election  
5 authority or other authorized location designated by the  
6 election authority by presenting a form of personal photo  
7 identification to election officials. No form of personal

8 photo identification other than the forms listed in this  
9 section shall be accepted to establish a voter's  
10 qualifications to vote. Forms of personal photo  
11 identification that satisfy the requirements of this section  
12 are any one of the following:

- 13 (1) Nonexpired Missouri driver's license;
  - 14 (2) Nonexpired or nonexpiring Missouri nondriver's  
15 license;
  - 16 (3) A document that satisfies all of the following  
17 requirements:
    - 18 (a) The document contains the name of the individual  
19 to whom the document was issued, and the name substantially  
20 conforms to the most recent signature in the individual's  
21 voter registration record;
    - 22 (b) The document shows a photograph of the individual;
    - 23 (c) The document includes an expiration date, and the  
24 document is not expired, or, if expired, the document  
25 expired after the date of the most recent general election;  
26 and
    - 27 (d) The document was issued by the United States or  
28 the state of Missouri; or
  - 29 (4) Any identification containing a photograph of the  
30 individual which is issued by the Missouri National Guard,  
31 the United States Armed Forces, including the Space Force,  
32 or the United States Department of Veteran Affairs to a  
33 member or former member of the Missouri National Guard or  
34 the United States Armed Forces, including the Space Force,  
35 and that is not expired or does not have an expiration date.
- 36 2. (1) An individual who appears at a polling place  
37 **or, if voting absentee in person pursuant to section**  
38 **115.277, at the office of the election authority or other**  
39 **authorized location designated by the election authority**

40 without a form of personal identification described in  
41 subsection 1 of this section and who is otherwise qualified  
42 to vote at that [polling place] **location** shall be allowed to  
43 cast a provisional ballot. The election judges **or election**  
44 **authority** shall make a notation on the provisional ballot  
45 envelope to indicate that the voter's identity was not  
46 verified.

47 (2) No person shall be entitled to receive a  
48 provisional ballot until such person has completed a  
49 provisional ballot affidavit on the provisional ballot  
50 envelope. All provisional ballots shall be marked with a  
51 conspicuous stamp or mark that makes them distinguishable  
52 from other ballots.

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

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

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

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

66 a. Nonexpired Missouri driver's license;

67 b. Nonexpired or nonexpiring Missouri nondriver's  
68 license;

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

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

74 (ii) The document contains my photograph;

75 (iii) The document contains an expiration date  
76 and is not expired, or if expired, the document  
77 expired after the date of the most recent general  
78 election; and

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

81 d. Identification containing my photograph issued  
82 to me by the Missouri National Guard, the United  
83 States Armed Forces, including Space Force, or the  
84 United States Department of Veteran Affairs as a  
85 member or former member of the Missouri National  
86 Guard or the United States Armed Forces that is not  
87 expired or does not have an expiration date; or

88 (b) The election authority verifies my identity by  
89 comparing my signature on this envelope to the  
90 signature on file with the election authority and  
91 determines that I was eligible to cast a ballot at  
92 this polling place; and

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

95 \_\_\_\_\_

96 Signature of Voter                      Date

97 \_\_\_\_\_

98 Signature of Election Officials

99 Once voted, the provisional ballot shall be sealed in the  
100 provisional ballot envelope and placed in a separate secured  
101 container by the election judge **or election authority.**

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

104 (1) (a) The voter returns to the polling place during  
105 the uniform polling hours established by section 115.407 **or,**  
106 **if voting by absentee ballot in person, the voter returns to**  
107 **the election authority's office by 7:00 p.m. on election day**  
108 and provides a form of personal identification that allows  
109 the election judges to verify the voter's identity as  
110 provided in subsection 1 of this section; or

111 (b) The election authority verifies the identity of  
112 the individual by comparing that individual's signature to  
113 the signature on file with the election authority and  
114 determines that the individual was eligible to cast a ballot  
115 at the **[polling place] location** where the ballot was cast;  
116 and

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

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

123 6. (1) Notwithstanding the provisions of section  
124 136.055 and section 302.181 to the contrary, the state and  
125 all fee offices shall provide one nondriver's license at no  
126 cost to any otherwise qualified voter who does not already  
127 possess such identification and who desires the  
128 identification for voting.

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

- 134           (a) A birth certificate;
- 135           (b) A marriage license or certificate;
- 136           (c) A divorce decree;
- 137           (d) A certificate of decree of adoption;
- 138           (e) A court order changing the person's name;
- 139           (f) A Social Security card reflecting an updated name;

140 and

- 141           (g) Naturalization papers or other documents from the  
142 United States Department of State proving citizenship.

143 Any individual seeking one of the above documents in order  
144 to obtain a form of personal photo identification described  
145 in subsection 1 of this section for voting may request the  
146 secretary of state to facilitate the acquisition of such  
147 documents. The secretary of state shall pay any fee or fees  
148 charged by another state or its agencies, or any court of  
149 competent jurisdiction in this state or any other state, or  
150 the federal government or its agencies, in order to obtain  
151 any of the above documents from such state or the federal  
152 government.

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



187           10. Any rule or portion of a rule, as that term is  
188 defined in section 536.010, that is created under the  
189 authority delegated in this section shall become effective  
190 only if it complies with and is subject to all of the  
191 provisions of chapter 536 and, if applicable, section  
192 536.028. This section and chapter 536 are nonseverable and  
193 if any of the powers vested with the general assembly  
194 pursuant to chapter 536 to review, to delay the effective  
195 date or to disapprove and annul a rule are subsequently held  
196 unconstitutional, then the grant of rulemaking authority and  
197 any rule proposed or adopted after August 28, 2002, shall be  
198 invalid and void.

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

          115.430. 1. This section shall apply to [primary and  
2 general elections where candidates for federal or statewide  
3 offices are nominated or elected and any election where  
4 statewide issue or issues are submitted to the voters] **any**  
5 **public election**.

6           2. (1) A voter claiming to be properly registered in  
7 the jurisdiction of the election authority and eligible to  
8 vote in an election, but whose eligibility at that precinct  
9 cannot be immediately established upon examination of the  
10 precinct register, shall be entitled to vote a provisional  
11 ballot after providing a form of personal identification  
12 required pursuant to section 115.427 or upon executing an  
13 affidavit under section 115.427, or may vote at a central

14 polling place as established in section 115.115 where the  
15 voter may vote his or her appropriate ballot for his or her  
16 precinct of residence upon verification of eligibility or  
17 vote a provisional ballot if eligibility cannot be  
18 determined. The provisional ballot provided to a voter  
19 under this section shall be the ballot provided to a  
20 resident of the voter's precinct determined by reference to  
21 the affidavit provided for in this section. If the voter  
22 declares that the voter is eligible to vote and the election  
23 authority determines that the voter is eligible to vote at  
24 another polling place, the voter shall be directed to the  
25 correct polling place or a central polling place as  
26 established by the election authority pursuant to subsection  
27 5 of section 115.115. If the voter refuses to go to the  
28 correct polling place or a central polling place, the voter  
29 shall be permitted to vote a provisional ballot at the  
30 incorrect polling place, but such ballot shall not be  
31 counted if the voter was not eligible to vote at that  
32 polling place.

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

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

39 (b) If the voter's eligibility cannot be immediately  
40 established by examining the precinct register, the election  
41 judge shall contact the election authority. If the election  
42 authority cannot immediately establish that the voter is  
43 registered and eligible to vote at the polling place upon  
44 examination of the Missouri voter registration system, or if  
45 the election judge is unable to make contact with the

46 election authority immediately, the voter shall be notified  
47 that the voter is entitled to a provisional ballot.

48 (3) The voter shall have the duty to appear and vote  
49 at the correct polling place. If an election judge  
50 determines that the voter is not eligible to vote at the  
51 polling place at which a voter presents himself or herself,  
52 and if the voter appears to be eligible to vote at another  
53 polling place, the voter shall be informed that he or she  
54 may cast a provisional ballot at the current polling place  
55 or may travel to the correct polling place or a central  
56 polling place, as established by the election authority  
57 under subsection 5 of section 115.115, where the voter may  
58 cast a regular ballot or provisional ballot if the voter's  
59 eligibility still cannot be determined. Provisional ballots  
60 cast at a polling place shall be counted only if the voter  
61 was eligible to vote at such polling place as provided in  
62 subsection 5 of this section.

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

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

73 3. (1) No person shall be entitled to receive a  
74 provisional ballot until such person has completed a  
75 provisional ballot affidavit on the provisional ballot  
76 envelope.

77           (2) The secretary of state shall produce appropriate  
78 sizes of provisional ballot envelopes and distribute them to  
79 each election authority according to their tabulating  
80 system. All provisional ballot envelopes shall be printed  
81 on a distinguishable color of paper that is different from  
82 the color of the regular ballot. The provisional ballot  
83 envelope shall be in the form required by subsection 4 of  
84 this section. All provisional ballots shall be marked with  
85 a conspicuous stamp or other distinguishing mark that makes  
86 them readily distinguishable from the regular ballots.

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

89           4. The provisional ballot in its envelope shall be  
90 deposited in the ballot box. The provisional ballot  
91 envelope shall be completed by the voter for use in  
92 determining eligibility. The provisional ballot envelope  
93 specified in this section shall contain a voter's  
94 certificate which shall be in substantially the following  
95 form:

96           STATE OF \_\_\_\_\_

97           COUNTY OF \_\_\_\_\_

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

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

117 \_\_\_\_\_

118 (Signature of  
119 Voter)

120 \_\_\_\_\_

121 (Current Address)

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

124 \_\_\_\_\_

125 (Signature of Election Official)

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

130 5. (1) Prior to counting any provisional ballot, the  
131 election authority shall determine if the voter is  
132 registered and eligible to vote and if the vote was properly  
133 cast. The eligibility of provisional votes shall be  
134 determined according to the requirements for a voter to cast  
135 a ballot in the election as set forth in sections 115.133  
136 and 115.135. A provisional [voter] ballot shall not be

137 eligible to be counted until the election authority has  
138 determined that:

139 (a) The voter cast such provisional ballot at a  
140 polling place established for the voter or the central  
141 polling place established by the election authority under  
142 subsection 5 of section 115.115;

143 (b) The individual who cast the provisional ballot is  
144 an individual registered to vote in the respective election  
145 at the polling place where the ballot was cast;

146 (c) The voter did not otherwise vote in the same  
147 election by regular ballot, absentee ballot, or otherwise;  
148 and

149 (d) The information on the provisional ballot envelope  
150 is found to be correct, complete, and accurate.

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

163 (3) To determine whether a provisional ballot is valid  
164 and entitled to be counted, the election authority shall  
165 examine its records and verify that the provisional voter is  
166 properly registered and eligible to vote in the election.  
167 If the provisional voter has provided information regarding  
168 the registration agency where the provisional voter

169 registered to vote, the election authority shall make an  
170 inquiry of the registration agency to determine whether the  
171 provisional voter is properly registered and eligible to  
172 vote in the election.

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

179 (a) The name of the provisional voter;

180 (b) The name of the reviewer;

181 (c) The date and time; and

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

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

188 (6) If the election authority determines that the  
189 provisional voter is not registered or eligible to vote in  
190 the election, the election authority shall provide  
191 documentation verifying the voter's ineligibility. Such  
192 documentation shall be noted on the copy of the provisional  
193 ballot envelope and shall contain substantially the  
194 following information:

195 (a) The name of the provisional voter;

196 (b) The name of the reviewer;

197 (c) The date and time;

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

199 (7) The local election authority shall record on a  
200 provisional ballot acceptance/rejection list the provisional

201 ballot identification number and notation marking it as  
202 rejected.

203 (8) If rejected, a photocopy of the envelope shall be  
204 made and used by the election authority as a mail-in voter  
205 registration. The actual provisional ballot envelope shall  
206 be kept as ballot material, and the copy of the envelope  
207 shall be used by the election authority for registration  
208 record keeping.

209 6. All provisional ballots cast by voters whose  
210 eligibility has been verified as provided in this section  
211 shall be counted in accordance with the rules governing  
212 ballot tabulation. Provisional ballots shall not be counted  
213 until all provisional ballots are determined either eligible  
214 or ineligible and all provisional ballots must be processed  
215 before the election is certified. The provisional ballot  
216 shall be counted only if the election authority determines  
217 that the voter is registered and eligible to vote.  
218 Provisional ballots voted in the wrong polling place shall  
219 not be counted. If the voter is not registered but is  
220 qualified to register for future elections, the affidavit  
221 shall be considered a mail-in application to register to  
222 vote pursuant to this chapter.

223 7. (1) After the election authority completes its  
224 review of the provisional voter's eligibility under  
225 subsection 5 of this section, the election authority shall  
226 deliver the provisional ballots and copies of the  
227 provisional ballot envelopes that include eligibility  
228 information to bipartisan counting teams, which may be the  
229 board of verification, for review and tabulation. The  
230 election authority shall maintain a record of such  
231 delivery. The record shall include the number of ballots  
232 delivered to each team and shall include a signed receipt

233 from two judges, one from each major political party. The  
234 election authority shall provide each team with a ballot box  
235 and material necessary for tabulation.

236 (2) If the person named on the provisional ballot  
237 affidavit is found to have been properly qualified and  
238 registered to cast a ballot in the election and the  
239 provisional ballot otherwise qualifies to be counted under  
240 the provisions of this section, the envelope shall be  
241 opened, and the ballot shall be placed in a ballot box to be  
242 counted.

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

252 (4) The votes shall be tallied and the returns made as  
253 provided in sections 115.447 to 115.525 for paper ballots.  
254 After the vote on all ballots assigned to a team have been  
255 counted, the ballots, ballot envelopes, and copies of ballot  
256 envelopes with the eligibility information provided by the  
257 election authority shall be enclosed in sealed containers  
258 marked "Voted provisional ballots and ballot envelopes from  
259 the election held \_\_\_\_\_, 20\_\_\_\_\_". All rejected  
260 provisional ballots, ballot envelopes, and copies of ballot  
261 envelopes with the eligibility information provided by the  
262 election authority shall be enclosed in sealed containers  
263 marked "Rejected provisional ballots and ballot envelopes  
264 from the election held \_\_\_\_\_, 20\_\_\_\_\_". On the outside of

265 each voted ballot and rejected ballot container, each member  
266 of the team shall write their name and all such containers  
267 shall be returned to the election authority. Upon receipt  
268 of the returns and ballots, the election authority shall  
269 tabulate the provisional votes.

270 8. Challengers and watchers, as provided by sections  
271 115.105 and 115.107, may be present during all times that  
272 the bipartisan counting teams are reviewing or counting the  
273 provisional ballots, the provisional ballot envelopes, or  
274 copies of the provisional ballot envelopes that include  
275 eligibility information provided by the election authority.  
276 Challengers and watchers shall be permitted to observe the  
277 determination of the eligibility of all provisional  
278 ballots. The election authority shall notify the county  
279 chair of each major political party of the time and location  
280 when bipartisan counting teams will be reviewing or counting  
281 the provisional ballots, the provisional ballot envelopes,  
282 or the copies of the provisional ballot envelopes that  
283 include the eligibility information provided by the election  
284 authority.

285 9. The certificate of ballot cards shall:

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

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

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

293 11. The secretary of state may promulgate rules for  
294 purposes of ensuring the uniform application of this  
295 section. No rule or portion of a rule promulgated pursuant

296 to the authority of this section shall become effective  
297 unless it has been promulgated pursuant to chapter 536.

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

301 13. Pursuant to the Help America Vote Act of 2002, the  
302 secretary of state shall ensure a free access system is  
303 established, such as a toll-free number or an internet  
304 website, that any individual who casts a provisional ballot  
305 may access to discover whether the vote of that individual  
306 was counted, and, if the vote was not counted, the reason  
307 that the vote was not counted. At the time an individual  
308 casts a provisional ballot, the election authority shall  
309 give the voter written information that states that any  
310 individual who casts a provisional ballot will be able to  
311 ascertain under such free access system whether the vote was  
312 counted, and if the vote was not counted, the reason that  
313 the vote was not counted.

314 14. In accordance with the Help America Vote Act of  
315 2002, any individual who votes in an election as a result of  
316 a court order or any other order extending the time  
317 established for closing the polls in section 115.407 may  
318 vote only by using a provisional ballot, and such  
319 provisional ballot shall be separated and held apart from  
320 other provisional ballots cast by those not affected by the  
321 order. Such ballots shall not be counted until such time as  
322 the ballots are determined to be valid. No state court  
323 shall have jurisdiction to extend the polling hours  
324 established by law, including section 115.407.

115.453. Election judges shall count votes for all  
2 candidates in the following manner:

3           (1) No candidate shall be counted as voted for, except  
4 a candidate before whose name a distinguishing mark appears  
5 preceding the name and a distinguishing mark does not appear  
6 in the square preceding the name of any candidate for the  
7 same office in another column. Except as provided in this  
8 subdivision and subdivision (2) of this section, each  
9 candidate with a distinguishing mark preceding his or her  
10 name shall be counted as voted for;

11           (2) If distinguishing marks appear next to the names  
12 of more candidates for an office than are entitled to fill  
13 the office, no candidate for the office shall be counted as  
14 voted for. If more than one candidate is to be nominated or  
15 elected to an office, and any voter has voted for the same  
16 candidate more than once for the same office at the same  
17 election, no votes cast by the voter for the candidate shall  
18 be counted;

19           (3) No vote shall be counted for any candidate that is  
20 not marked substantially in accordance with the provisions  
21 of this section. The judges shall count votes marked  
22 substantially in accordance with this section and section  
23 115.456 when the intent of the voter seems clear.  
24 Regulations promulgated by the secretary of state shall be  
25 used by the judges to determine voter intent. No ballot  
26 containing any proper votes shall be rejected for containing  
27 fewer marks than are authorized by law;

28           (4) Write-in votes shall be counted only for  
29 candidates for election to office who have filed a  
30 declaration of intent to be a write-in candidate for  
31 election to office with the proper election authority, who  
32 shall then notify the proper filing officer of the write-in  
33 candidate prior to 5:00 p.m. on the second Friday  
34 immediately preceding the election day; except that, write-

35 in votes shall be counted only for candidates for election  
36 to state or federal office who have filed a declaration of  
37 intent to be a write-in candidate for election to state or  
38 federal office with the secretary of state pursuant to  
39 section 115.353 prior to 5:00 p.m. on the second Friday  
40 immediately preceding the election day. No person who filed  
41 as a party or independent candidate for nomination or  
42 election to an office may, without withdrawing as provided  
43 by law, file as a write-in candidate for election to the  
44 same office for the same term. No candidate who files for  
45 nomination to an office and is not nominated at a primary  
46 election may file a declaration of intent to be a write-in  
47 candidate for the same office at the general election. When  
48 declarations are properly filed with the secretary of state,  
49 the secretary of state shall promptly transmit copies of all  
50 such declarations to the proper election authorities for  
51 further action pursuant to this section. The election  
52 authority shall furnish a list to the election judges and  
53 counting teams prior to election day of all write-in  
54 candidates who have filed such declaration. [This  
55 subdivision shall not apply to elections wherein candidates  
56 are being elected to an office for which no candidate has  
57 filed.] No person shall file a declaration of intent to be  
58 a write-in candidate for election to any municipal office  
59 unless such person is qualified to be certified as a  
60 candidate under section 115.306;

61 (5) Write-in votes shall be cast and counted for a  
62 candidate without party designation. Write-in votes for a  
63 person cast with a party designation shall not be counted.  
64 Except for candidates for political party committees, no  
65 candidate shall be elected as a write-in candidate unless  
66 such candidate receives a separate plurality of the votes

67 without party designation regardless of whether or not the  
68 total write-in votes for such candidate under all party and  
69 without party designations totals a majority of the votes  
70 cast;

71 (6) When submitted to the election authority, each  
72 declaration of intent to be a write-in candidate for the  
73 office of United States president shall include the name of  
74 a candidate for vice president and the name of nominees for  
75 presidential elector equal to the number to which the state  
76 is entitled. At least one qualified resident of each  
77 congressional district shall be nominated as presidential  
78 elector. Each such declaration of intent to be a write-in  
79 candidate shall be accompanied by a declaration of candidacy  
80 for each presidential elector in substantially the form set  
81 forth in subsection 3 of section 115.399. Each declaration  
82 of candidacy for the office of presidential elector shall be  
83 subscribed and sworn to by the candidate before the election  
84 official receiving the declaration of intent to be a write-  
85 in, notary public or other officer authorized by law to  
86 administer oaths.

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

9 (1) Stealing or willfully concealing, defacing,  
10 mutilating, or destroying any sample ballots that may be  
11 furnished by an organization or individual at or near any  
12 voting place on election day, except that this subdivision

13 shall not be construed so as to interfere with the right of  
14 an individual voter to erase or cause to be erased on a  
15 sample ballot the name of any candidate and substituting the  
16 name of the person for whom he or she intends to vote; or to  
17 dispose of the received sample ballot;

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

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

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

31 (5) On the part of any canvasser appointed to canvass  
32 any registration list, willfully failing to appear, refusing  
33 to continue, or abandoning such canvass or willfully  
34 neglecting to perform his duties in making such canvass or  
35 willfully neglecting any duties lawfully assigned to him or  
36 her;

37 (6) On the part of any employer, making, enforcing, or  
38 attempting to enforce any order, rule, or regulation or  
39 adopting any other device or method to prevent an employee  
40 from engaging in political activities, accepting candidacy  
41 for nomination to, election to, or the holding of, political  
42 office, holding a position as a member of a political  
43 committee, soliciting or receiving funds for political  
44 purpose, acting as chairman or participating in a political

45 convention, assuming the conduct of any political campaign,  
46 signing, or subscribing his or her name to any initiative,  
47 referendum, or recall petition, or any other petition  
48 circulated pursuant to law;

49 (7) On the part of any person authorized or employed  
50 to print official ballots, or any person employed in  
51 printing ballots, giving, delivering, or knowingly  
52 permitting to be taken any ballot to or by any person other  
53 than the official under whose direction the ballots are  
54 being printed, any ballot in any form other than that  
55 prescribed by law, or with unauthorized names, with names  
56 misspelled, or with the names of candidates arranged in any  
57 way other than that authorized by law;

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

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

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

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

75 (12) On the part of any election authority or  
76 official, willfully neglecting, refusing, or omitting to

77 perform any duty required of him or her by law with respect  
78 to holding and conducting an election, receiving and  
79 counting out the ballots, or making proper returns;

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

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

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

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

94 (17) On the part of any person at any registration  
95 site, polling place, counting location or verification  
96 location, causing any breach of the peace or engaging in  
97 disorderly conduct, violence, or threats of violence whereby  
98 such registration, election, count or verification is  
99 impeded or interfered with;

100 (18) Exit polling, surveying, sampling,  
101 electioneering, distributing election literature, posting  
102 signs, **petitioning**, or placing vehicles bearing signs with  
103 respect to any candidate or question to be voted on at **[an]**  
104 **a current or future** election on election day **or during the**  
105 **absentee voting period** inside the building in which a  
106 polling place is located or within twenty-five feet of the  
107 building's outer door closest to the polling place, or, on  
108 the part of any person, refusing to remove or permit removal

109 from property owned or controlled by such person, any such  
110 election sign or literature located within such distance on  
111 such day after request for removal by any person.

112 **Notwithstanding the preceding sentence, an election**  
113 **authority may, upon notice publicly posted at the office of**  
114 **the election authority not later than six weeks prior to the**  
115 **election, provide that exit polling, surveying, sampling,**  
116 **electioneering, distributing election literature,**  
117 **petitioning, or placing vehicles bearing signs with respect**  
118 **to any candidate or question to be voted on at a current or**  
119 **future election on election day or during the absentee**  
120 **voting period inside the building in which a polling place**  
121 **is located may not take place within fifty feet of the**  
122 **building's outer door closest to the polling place, or, on**  
123 **the part of any person, refusing to remove or permit removal**  
124 **from property owned or controlled by such person, any such**  
125 **election sign or literature located within such distance on**  
126 **such day after request for removal by any person; provided**  
127 **that a candidate who is not seeking to vote shall be allowed**  
128 **to be up to twenty-five feet from the building's outer door**  
129 **closest to the polling place and may distribute election**  
130 **literature; and provided further that campaign signs shall**  
131 **be permitted to be placed up to twenty-five feet from the**  
132 **building's outer door closest to the polling place;**

133 (19) Stealing or willfully defacing, mutilating, or  
134 destroying any campaign yard sign on private property,  
135 except that this subdivision shall not be construed to  
136 interfere with the right of any private property owner to  
137 take any action with regard to campaign yard signs on the  
138 owner's property and this subdivision shall not be construed  
139 to interfere with the right of any candidate, or the  
140 candidate's designee, to remove the candidate's campaign

141 yard sign from the owner's private property after the  
142 election day.

115.646. No contribution or expenditure of public  
2 funds shall be made directly by any officer, employee, or  
3 agent of any political subdivision, [including school  
4 districts and charter schools] **special district, or charter**  
5 **school** to advocate, support, or oppose the passage or defeat  
6 of any ballot measure or the nomination or election of any  
7 candidate for public office, or to direct any public funds  
8 to, or pay any debts or obligations of, any committee  
9 supporting or opposing such ballot measures or candidates.  
10 This section shall not be construed to prohibit any public  
11 official of a political subdivision, including school  
12 districts and charter schools, from making public  
13 appearances or from issuing press releases concerning any  
14 such ballot measure. Any purposeful violation of this  
15 section shall be punished as a class four election offense.

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