

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1871
103RD GENERAL ASSEMBLY

5033S.06T

2026

AN ACT

To repeal sections 105.465, 108.240, 115.125, 115.127, 115.133, 115.233, 115.277, 115.284, 115.306, 115.427, 115.430, 115.453, 115.637, 115.646, 130.031, and 130.034, RSMo, and to enact in lieu thereof seventeen new sections relating to elections, with penalty provisions and a severability clause.

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

Section A. Sections 105.465, 108.240, 115.125, 115.127, 115.133, 115.233, 115.277, 2 115.284, 115.306, 115.427, 115.430, 115.453, 115.637, 115.646, 130.031, and 130.034, 3 RSMo, are repealed and seventeen new sections enacted in lieu thereof, to be known as 4 sections 9.515, 105.465, 108.240, 115.125, 115.127, 115.133, 115.233, 115.277, 115.284, 5 115.306, 115.427, 115.430, 115.453, 115.637, 115.646, 130.031, and 130.034, to read as 6 follows:

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

105.465. 1. Any person who registers as a lobbyist shall dissolve his or her candidate 2 committee. In the course of dissolving such committee, such person shall not disburse 3 moneys from such committee, except for the purpose of:

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.

4 (1) Returning a contribution made to the candidate committee to the entity
5 responsible for making the contribution to the committee;

6 (2) Donating moneys to a nonprofit entity qualified as exempt from federal taxation
7 under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; or

8 (3) Transferring moneys to a political party committee.

9 **2. Notwithstanding subsection 1 of this section to the contrary, a person who**
10 **registers as a lobbyist shall not be prohibited from maintaining a candidate committee**
11 **designated to seek election to a county, municipal, or school board office, provided such**
12 **person is not registered to lobby the county, municipality, or school district for which**
13 **that person's candidate committee is designated to seek office. Nothing in this**
14 **subsection shall prohibit a person from changing the designated office sought by his or**
15 **her candidate committee, provided such person is never simultaneously registered to**
16 **lobby the public office for which such person's committee is designated to seek office. A**
17 **candidate committee maintained under this subsection shall make no expenditures or**
18 **disbursements except to support the candidacy of the person maintaining the committee**
19 **or for any purpose authorized by subdivisions (1) to (3) of subsection 1 of this section.**

20 **3.** For purposes of this section, the term "lobbyist" shall have the same meaning given
21 to such term under section 105.470, and the terms "committee", "candidate committee",
22 "contribution", "**office**", "**public office**", and "political party committee" shall have the same
23 meanings given to such terms under section 130.011.

108.240. 1. Before any general obligation bearer bond or general obligation
2 registered bond, hereafter issued by any county, township, city, town, village or school district
3 or special road district or fire protection district or by virtue of the provisions of chapters 243,
4 245, 248, and sections 242.010 to 242.690 for any purpose whatever, shall obtain validity or
5 be negotiated:

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

14 (2) If such bonds are in registered form, the proceedings relating to the issuance of
15 such registered bonds shall first be presented to the state auditor, who shall examine the same
16 and shall issue a certificate that such proceedings comply with all conditions of the laws, if
17 that be the case, and also that the conditions of the contract, under which they were ordered to

18 be issued, have also been complied with, and the evidence of these facts shall be filed and
19 preserved by the auditor. The state auditor shall also maintain the following information: the
20 name of the issuer of the bonds; the amount thereof; the maturity dates thereof; the interest
21 rates thereon; and the provisions with respect to prepayment, if any.

22 2. Such bearer bonds after receiving the said certificate of the auditor as herein
23 provided and such registered bonds after the issuance of the said certificate as herein provided
24 shall thereafter be held in every action, suit or proceeding in which their validity is, or may
25 be, brought into question, prima facie, valid and binding obligations, and in every action
26 brought to enforce collection of such bonds, the certificate of such auditor, or a duly certified
27 copy thereof, shall be admitted and received in evidence of the validity of such bonds,
28 together with the coupons thereto attached if any; provided, the only defense which can be
29 offered against the validity of such bonds shall be for forgery or fraud. But this section shall
30 not be construed to give validity to any such bonds as may be issued in excess of the limit
31 fixed by the constitution, or contrary to its provisions, but all such bonds shall, to the extent of
32 such excess, be held void; and provided further, that the remedy of injunction shall also lie at
33 the instance of any taxpayer of the respective county, city, town, village, township or school
34 district or special road district or fire protection district or drainage district or levy district to
35 prevent the registration of any bonds, alleged to be illegally issued or funded.

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

115.125. 1. Not later than 5:00 p.m. on the tenth Tuesday prior to any election,
2 except a special election to decide an election contest, tie vote or an election to elect seven
3 members to serve on a school board of a district pursuant to section 162.241, or a delay in
4 notification pursuant to subsection [3] 2 of this section, or pursuant to the provisions of
5 section 115.399, the officer or agency calling the election shall notify the election authorities
6 responsible for conducting the election. The notice shall be in writing, shall specify the name
7 of the officer or agency calling the election and shall include a certified copy of the legal
8 notice to be published pursuant to subsection 2 of section 115.127. The notice and any other
9 information required by this section may, with the prior notification to the election authority
10 receiving the notice, be accepted by **email or** facsimile transmission prior to 5:00 p.m. on the
11 tenth Tuesday prior to the election], ~~provided that the original copy of the notice and a~~
12 ~~certified copy of the legal notice to be published shall be received in the office of the election~~
13 ~~authority within three business days from the date of the facsimile transmission.~~

14 ~~2. In lieu of a certified copy of the legal notice to be published pursuant to subsection~~
15 ~~2 of section 115.127, each notice of a special election to fill a vacancy shall include the name~~
16 ~~of the office to be filled, the date of the election and the date by which candidates must be~~

17 ~~selected or filed for the office. Not later than the sixth Tuesday prior to any special election to~~
18 ~~fill a vacancy called by a political subdivision or special district, the officer or agency calling~~
19 ~~the election shall certify a sample ballot to the election authorities responsible for conducting~~
20 ~~the election].~~

21 [3-] 2. Except as provided for in sections 115.247 and 115.359, if there is no
22 additional cost for the printing or reprinting of ballots or if the political subdivision or special
23 district calling for the election agrees to pay any printing or reprinting costs, a political
24 subdivision or special district may, at any time after certification of the notice of election
25 required in subsection 1 of this section, but no later than 5:00 p.m. on the eighth Tuesday
26 before the election, be permitted to make late notification to the election authority pursuant to
27 court order, which, except for good cause shown by the election authority in opposition
28 thereto, shall be freely given upon application by the political subdivision or special district to
29 the circuit court of the area of such subdivision or district. No court shall have the authority
30 to order an individual or issue be placed on the ballot less than eight weeks before the date of
31 the election.

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

16 2. Except as provided in subsections 1 and 4 of this section and in sections 115.521,
17 115.549 and 115.593, the election authority shall cause legal notice of each election held in its
18 jurisdiction to be published. The notice shall be published in two newspapers of different
19 political faith and qualified pursuant to chapter 493 which are published within the bounds of
20 the area holding the election. If there is only one so-qualified newspaper, then notice shall be
21 published in only one newspaper. If there is no newspaper published within the bounds of the
22 election area, then the notice shall be published in two qualified newspapers of different

23 political faith serving the area. Notice shall be published twice~~], the first publication~~
24 ~~occurring in the second week prior to the election, and the second publication occurring]~~
25 within ~~[one week]~~ **six weeks** prior to the election. Each such legal notice shall include the
26 date and time of the election, the name of the officer or agency calling the election and a
27 sample ballot; and, unless notice has been given as provided by section 115.129, the second
28 publication of notice of the election shall include the location of polling places. The election
29 authority may provide any additional notice of the election it deems desirable.

30 3. The election authority shall print the official ballot as the same appears on the
31 sample ballot, and no candidate's name or ballot issue which appears on the sample ballot or
32 official printed ballot shall be stricken or removed from the ballot except on death of a
33 candidate or by court order, but in no event shall a candidate or issue be stricken or removed
34 from the ballot less than eight weeks before the date of the election.

35 4. In lieu of causing legal notice to be published **twice** in accordance with any of the
36 provisions of this chapter, the election authority ~~[in jurisdictions which have less than seven~~
37 ~~hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is~~
38 ~~published,]~~ may cause legal notice to be mailed ~~[during the second week prior to the election,~~
39 ~~by first class mail,]~~ **within six weeks prior to the election** to each registered voter at the
40 voter's voting address **and published once in one or more newspapers in the county. An**
41 **election authority may exclude from this mailing any voter that is designated as an**
42 **inactive voter pursuant to section 115.193.** All such legal notices shall include the date and
43 time of the election, the location of the polling place, the name of the officer or agency calling
44 the election and a sample ballot.

45 5. If the opening date for filing a declaration of candidacy for any office in a political
46 subdivision or special district is not required by law or charter, the opening filing date shall be
47 8:00 a.m., the ~~[seventeenth]~~ **sixteenth** Tuesday prior to the election. If the closing date for
48 filing a declaration of candidacy for any office in a political subdivision or special district is
49 not required by law or charter, the closing filing date shall be 5:00 p.m., the ~~[fourteenth]~~
50 **thirteenth** Tuesday prior to the election, **or if the thirteenth Tuesday prior to the election**
51 **is a state or federal holiday, the closing filing date shall be 5:00 p.m. on the next day that**
52 **is not a state or federal holiday.** The political subdivision or special district calling an
53 election shall, before the ~~[seventeenth]~~ **sixteenth** Tuesday, prior to any election at which
54 offices are to be filled, notify the general public of the opening filing date, the office or offices
55 to be filled, the proper place for filing and the closing filing date of the election. Such
56 notification may be accomplished by legal notice published in at least one newspaper of
57 general circulation in the political subdivision or special district.

58 6. Except as provided for in sections 115.247 and 115.359, if there is no additional
59 cost for the printing or reprinting of ballots or if the candidate agrees to pay any printing or

60 reprinting costs, a candidate who has filed for an office or who has been duly nominated for
61 an office may, at any time after the certification of the notice of election required in
62 subsection 1 of section 115.125 but no later than 5:00 p.m. on the eighth Tuesday before the
63 election, withdraw as a candidate pursuant to a court order, which, except for good cause
64 shown by the election authority in opposition thereto, shall be freely given upon application
65 by the candidate to the circuit court of the area of such candidate's residence.

115.133. 1. Except as provided in subsection 2 of this section, any citizen of the
2 United States who is a resident of the state of Missouri and seventeen years and six months of
3 age or older shall be entitled to register and to vote in any election which is held on or after
4 his **or her** eighteenth birthday.

5 2. No person who is adjudged incapacitated shall be entitled to register or vote. No
6 person shall be entitled to vote:

7 (1) While confined under a sentence of imprisonment;

8 (2) While on probation or parole after conviction of a felony **pursuant to chapter**
9 **566 or 573 or section 565.020, 565.021, 565.050, 565.052, 565.072, 565.079, 568.020,**
10 **568.045, or 569.160**, until finally discharged from such probation or parole; or

11 (3) After conviction of a felony or misdemeanor connected with the right of suffrage.

12 3. Except as provided in federal law or federal elections and in section 115.277, no
13 person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his
14 or her residence prior to the deadline to register to vote.

115.233. [~~Within~~] **At least** fourteen days prior to an election **and no less than one**
2 **week prior to an election** at which an electronic voting system is to be used, the election
3 authority shall have the automatic tabulating equipment tested to ascertain that the equipment
4 is in compliance with the law and that it will correctly count the votes cast for all offices and
5 on all questions. At least forty-eight hours prior to the test, notice of the time and place of the
6 test shall be mailed to each independent and new party candidate and the chairman of the
7 county committee of each established political party named on the ballot. The test shall be
8 observed by at least two persons designated by the election authority, one from each major
9 political party, and shall be open to representatives of the political parties, candidates, the
10 news media and the public. The test shall be conducted by processing a preaudited group of
11 ballots. If any error is detected, the cause shall be ascertained and corrected, and an errorless
12 count shall be made before the tabulating equipment is approved.

115.277. 1. A registered voter of this state may cast an absentee ballot in person at a
2 location designated by the election authority for all candidates and issues for which such voter
3 is eligible to vote at the polling place if such voter expects to be prevented from going to the
4 polls to vote on election day due to one of the reasons listed in subsection 3 of this section. A
5 registered voter casting a ballot under the provisions of this subsection shall provide a form of

6 personal photo identification that is consistent with subsection 1 of section 115.427.
7 Beginning on the second Tuesday prior to an election, a reason listed under subsection 3 of
8 this section shall not be required, provided that, the provisions of section 1.140 to the contrary
9 notwithstanding, this sentence and section 115.427 shall be nonseverable, and if any
10 provision of section 115.427 is for any reason held to be invalid, such decision shall
11 invalidate this sentence.

12 2. Except as provided in subsections 4, 5, and 6 of this section, a registered voter of
13 this state may cast an absentee ballot not in person at a location designated by the election
14 authority for all candidates and issues for which such voter would be eligible to vote at the
15 polling place if such voter expects to be prevented from going to the polls to vote on election
16 day due to one of the reasons listed in subsection 3 of this section. An absentee ballot that is
17 not requested and completed in person at the office of the election authority with a form of
18 personal photo identification that is consistent with subsection 1 of section 115.427 shall have
19 the statement on the ballot envelope notarized as required under section 115.283, except that
20 absentee ballots requested under subdivisions (2) and (5) of subsection 3 of this section shall
21 not require notarization. This subsection shall apply only in the case of absentee ballots that
22 are not cast in person.

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

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

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

29 (3) Religious belief or practice;

30 (4) Employment as:

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

33 (b) A first responder;

34 (c) A health care worker; or

35 (d) A member of law enforcement;

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

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

39 4. Any covered voter who is eligible to register and vote in this state may vote in any
40 election for federal office, statewide office, state legislative office, or statewide ballot
41 initiatives by submitting a federal postcard application to apply to vote by absentee ballot or
42 by submitting a federal postcard application at the ~~polling place~~ **office of the election**

43 **authority on election day**, even though the person is not registered. A federal postcard
44 application submitted by a covered voter pursuant to this subsection shall also serve as a voter
45 registration application under section 115.908 and the election authority shall, if satisfied that
46 the applicant is entitled to register, place the voter's name on the voter registration file. Each
47 covered voter may vote by absentee ballot or, upon submitting an affidavit that the person is
48 qualified to vote in the election, may vote at the person's polling place.

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

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

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

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

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

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

11 State of _____
12 County (City) of _____
13 I, _____ (print applicant's name), declare that I am a resident and
14 registered voter of _____ County, Missouri, and am permanently
15 disabled. I hereby request that my name be placed on the election
16 authority's list of voters qualified to participate as absentee voters
17 pursuant to section 115.284, and that I be delivered an absentee ballot
18 application for each election in which I am eligible to vote.

19 _____
20 Signature of Voter

21 _____
22 _____
23 Voter's Address

24 5. Not earlier than ten weeks before an election but prior to the fourth Tuesday prior
25 to an election, the election authority shall deliver to each voter qualified to participate as
26 absentee voters pursuant to this section an absentee ballot application if the voter is eligible to

27 vote in that election. If the voter returns the absentee request application to the election
28 authority not later than 5:00 p.m. on the second Wednesday before an election and has
29 retained the necessary qualifications to vote, the election authority shall provide the voter
30 with an absentee ballot pursuant to this chapter.

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

- 33 (1) Asks to be removed from the list;
34 (2) Dies;
35 (3) Becomes disqualified from voting pursuant to this chapter; or
36 (4) No longer resides at the address of his or her voter registration.

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

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

5 2. (1) Any person who files as a candidate for election to a public office shall be
6 disqualified from participation in the election for which the candidate has filed if such person
7 is delinquent in the payment of any state income taxes, personal property taxes, municipal
8 taxes, real property taxes on the place of residence, as stated on the declaration of candidacy,
9 or if the person is a past or present corporate officer of any fee office that owes any taxes to
10 the state.

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

15 AFFIRMATION OF TAX PAYMENTS AND BONDING

16 REQUIREMENTS:

17 I hereby declare under penalties of perjury that I am not currently
18 aware of any delinquency in the filing or payment of any state income
19 taxes, personal property taxes, municipal taxes, real property taxes on
20 the place of residence, as stated on the declaration of candidacy, or that
21 I am a past or present corporate officer of any fee office that owes any
22 taxes to the state, other than those taxes which may be in dispute. I
23 declare under penalties of perjury that I am not aware of any

24 information that would prohibit me from fulfilling any bonding
 25 requirements for the office for which I am filing.

26 _____ Candidate's Signature

27 _____ Printed Name of Candidate

28 (3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing
 29 or payment of any state income taxes, personal property taxes, municipal taxes, real property
 30 taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a
 31 past or present corporate officer of any fee office that owes any taxes to the state, the
 32 department of revenue shall investigate such potential candidate to verify the claim contained
 33 in the complaint. If the department of revenue finds a positive affirmation to be false, the
 34 department shall contact the secretary of state, or the election official who accepted such
 35 candidate's declaration of candidacy, and the potential candidate. The department shall notify
 36 the candidate of the outstanding tax owed and give the candidate thirty days to remit any such
 37 outstanding taxes owed which are not the subject of dispute between the department and the
 38 candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate
 39 shall be disqualified from participating in the current election and barred from refileing for an
 40 entire election cycle even if the individual pays all of the outstanding taxes that were the
 41 subject of the complaint.

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

115.427. 1. Persons seeking to vote in a public election shall establish their identity
 2 and eligibility to vote at the polling place or, if voting absentee in person under section
 3 115.277, at the office of the election authority or other authorized location designated by the
 4 election authority by presenting a form of personal photo identification to election officials.
 5 No form of personal photo identification other than the forms listed in this section shall be
 6 accepted to establish a voter's qualifications to vote. Forms of personal photo identification
 7 that satisfy the requirements of this section are any one of the following:

- 8 (1) Nonexpired Missouri driver's license;
- 9 (2) Nonexpired or nonexpiring Missouri nondriver's license;
- 10 (3) A document that satisfies all of the following requirements:

11 (a) The document contains the name of the individual to whom the document was
12 issued, and the name substantially conforms to the most recent signature in the individual's
13 voter registration record;

14 (b) The document shows a photograph of the individual;

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

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

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

23 2. (1) An individual who appears at a polling place **or, if voting absentee in person**
24 **pursuant to section 115.277, at the office of the election authority or other authorized**
25 **location designated by the election authority** without a form of personal identification
26 described in subsection 1 of this section and who is otherwise qualified to vote at that [~~polling~~
27 ~~place~~] **location** shall be allowed to cast a provisional ballot. The election judges **or election**
28 **authority** shall make a notation on the provisional ballot envelope to indicate that the voter's
29 identity was not verified.

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

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

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

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

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

44 a. Nonexpired Missouri driver's license;

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

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

- 47 (i) The document contains my name, in substantially the same form as
- 48 the most recent signature on my voter registration record;
- 49 (ii) The document contains my photograph;
- 50 (iii) The document contains an expiration date and is not expired, or if
- 51 expired, the document expired after the date of the most recent general
- 52 election; and
- 53 (iv) The document was issued by the United States or the state of
- 54 Missouri; or
- 55 d. Identification containing my photograph issued to me by the
- 56 Missouri National Guard, the United States Armed Forces, including
- 57 Space Force, or the United States Department of Veteran Affairs as a
- 58 member or former member of the Missouri National Guard or the
- 59 United States Armed Forces that is not expired or does not have an
- 60 expiration date; or
- 61 (b) The election authority verifies my identity by comparing my
- 62 signature on this envelope to the signature on file with the election
- 63 authority and determines that I was eligible to cast a ballot at this
- 64 polling place; and
- 65 (2) This provisional ballot otherwise qualifies to be counted under the
- 66 laws of the State of Missouri.

67 _____

68 Signature of Voter Date

69 _____

70 Signature of Election Officials

71

72 Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and

73 placed in a separate secured container by the election judge **or election authority**.

- 74 4. The provisional ballot cast by such voter shall not be counted unless:
- 75 (1) (a) The voter returns to the polling place during the uniform polling hours
 - 76 established by section 115.407 **or, if voting by absentee ballot in person, the voter returns**
 - 77 **to the election authority's office by 7:00 p.m. on election day** and provides a form of
 - 78 personal identification that allows the election judges to verify the voter's identity as provided
 - 79 in subsection 1 of this section; or
 - 80 (b) The election authority verifies the identity of the individual by comparing that
 - 81 individual's signature to the signature on file with the election authority and determines that

82 the individual was eligible to cast a ballot at the ~~[polling place]~~ **location** where the ballot was
83 cast; and

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

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

88 6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the
89 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any
90 otherwise qualified voter who does not already possess such identification and who desires
91 the identification for voting.

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

95 (a) A birth certificate;

96 (b) A marriage license or certificate;

97 (c) A divorce decree;

98 (d) A certificate of decree of adoption;

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

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

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

103

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

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

115 7. The director of the department of revenue shall, by January first of each year,
116 prepare and deliver to each member of the general assembly a report documenting the number
117 of individuals who have requested and received a nondriver's license photo identification for
118 the purposes of voting under this section. The report shall also include the number of persons

119 requesting a nondriver's license for purposes of voting under this section, but not receiving
120 such license, and the reason for the denial of the nondriver's license.

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

123 VOTER'S IDENTIFICATION CERTIFICATE

124 Warning: It is against the law for anyone to vote, or attempt to vote,
125 without having a lawful right to vote.

126 PRECINCT

127 WARD OR TOWNSHIP _____

128 GENERAL (SPECIAL, PRIMARY) ELECTION

129 Held _____, 20 _____

130 Date

131 I hereby certify that I am qualified to vote at this election by signing
132 my name and verifying my address by signing my initials next to my
133 address.

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

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

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

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

4 2. (1) A voter claiming to be properly registered in the jurisdiction of the election
5 authority and eligible to vote in an election, but whose eligibility at that precinct cannot be
6 immediately established upon examination of the precinct register, shall be entitled to vote a
7 provisional ballot after providing a form of personal identification required pursuant to

8 section 115.427 or upon executing an affidavit under section 115.427, or may vote at a central
9 polling place as established in section 115.115 where the voter may vote his or her
10 appropriate ballot for his or her precinct of residence upon verification of eligibility or vote a
11 provisional ballot if eligibility cannot be determined. The provisional ballot provided to a
12 voter under this section shall be the ballot provided to a resident of the voter's precinct
13 determined by reference to the affidavit provided for in this section. If the voter declares that
14 the voter is eligible to vote and the election authority determines that the voter is eligible to
15 vote at another polling place, the voter shall be directed to the correct polling place or a
16 central polling place as established by the election authority pursuant to subsection 5 of
17 section 115.115. If the voter refuses to go to the correct polling place or a central polling
18 place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place,
19 but such ballot shall not be counted if the voter was not eligible to vote at that polling place.

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

22 (a) The election judge shall examine the precinct register as provided in section
23 115.425. If the voter is registered and eligible to vote at the polling place, the voter shall
24 receive a regular ballot;

25 (b) If the voter's eligibility cannot be immediately established by examining the
26 precinct register, the election judge shall contact the election authority. If the election
27 authority cannot immediately establish that the voter is registered and eligible to vote at the
28 polling place upon examination of the Missouri voter registration system, or if the election
29 judge is unable to make contact with the election authority immediately, the voter shall be
30 notified that the voter is entitled to a provisional ballot.

31 (3) The voter shall have the duty to appear and vote at the correct polling place. If an
32 election judge determines that the voter is not eligible to vote at the polling place at which a
33 voter presents himself or herself, and if the voter appears to be eligible to vote at another
34 polling place, the voter shall be informed that he or she may cast a provisional ballot at the
35 current polling place or may travel to the correct polling place or a central polling place, as
36 established by the election authority under subsection 5 of section 115.115, where the voter
37 may cast a regular ballot or provisional ballot if the voter's eligibility still cannot be
38 determined. Provisional ballots cast at a polling place shall be counted only if the voter was
39 eligible to vote at such polling place as provided in subsection 5 of this section.

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

43 (5) Prior to accepting any provisional ballot at the polling place, the election judges
44 shall determine that the information provided on the provisional ballot envelope by the

45 provisional voter is consistent with the identification provided by such person under section
46 115.427.

47 3. (1) No person shall be entitled to receive a provisional ballot until such person has
48 completed a provisional ballot affidavit on the provisional ballot envelope.

49 (2) The secretary of state shall produce appropriate sizes of provisional ballot
50 envelopes and distribute them to each election authority according to their tabulating system.
51 All provisional ballot envelopes shall be printed on a distinguishable color of paper that is
52 different from the color of the regular ballot. The provisional ballot envelope shall be in the
53 form required by subsection 4 of this section. All provisional ballots shall be marked with a
54 conspicuous stamp or other distinguishing mark that makes them readily distinguishable from
55 the regular ballots.

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

58 4. The provisional ballot in its envelope shall be deposited in the ballot box. The
59 provisional ballot envelope shall be completed by the voter for use in determining eligibility.
60 The provisional ballot envelope specified in this section shall contain a voter's certificate
61 which shall be in substantially the following form:

62 STATE OF _____

63 COUNTY OF _____

64 I do solemnly swear (or affirm) that my name is _____; that my date
65 of birth is _____; that the last four digits of my Social Security
66 Number are _____; that I am registered to vote in _____ County or
67 City (if a City not within a County), Missouri; that I am a qualified
68 voter of said County (or City not within a County); that I am eligible to
69 vote at this polling place; and that I have not voted in this election.

70 I understand that if the above-provided information is not correct and
71 the election authority determines that I am not registered and eligible to
72 vote, my vote will not be counted. I further understand that knowingly
73 providing false information is a violation of law and subjects me to
74 possible criminal prosecution.

75 _____

76 (Signature of Voter)

77 _____

78 (Current Address)

79 Subscribed and affirmed before me this _____ day of _____, 20____

80 _____

81 _____

82 (Signature of Election Official)

83

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

86 5. (1) Prior to counting any provisional ballot, the election authority shall determine
87 if the voter is registered and eligible to vote and if the vote was properly cast. The eligibility
88 of provisional votes shall be determined according to the requirements for a voter to cast a
89 ballot in the election as set forth in sections 115.133 and 115.135. A provisional [~~voter~~] ballot
90 shall not be eligible to be counted until the election authority has determined that:

91 (a) The voter cast such provisional ballot at a polling place established for the voter or
92 the central polling place established by the election authority under subsection 5 of section
93 115.115;

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

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

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

100 (2) When the ballot boxes are delivered to the election authority from the polling
101 places, the receiving teams shall separate the provisional ballots from the rest of the ballots
102 and place the sealed provisional ballot envelopes in a separate container. Teams of election
103 authority employees or teams of election judges with each team consisting of one member of
104 each major political party shall photocopy each provisional ballot envelope, such photocopy
105 to be used by the election authority to determine provisional voter eligibility. The sealed
106 provisional ballot envelopes shall be placed by the team in a sealed container and shall remain
107 therein until tabulation.

108 (3) To determine whether a provisional ballot is valid and entitled to be counted, the
109 election authority shall examine its records and verify that the provisional voter is properly
110 registered and eligible to vote in the election. If the provisional voter has provided
111 information regarding the registration agency where the provisional voter registered to vote,
112 the election authority shall make an inquiry of the registration agency to determine whether
113 the provisional voter is properly registered and eligible to vote in the election.

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

- 118 (a) The name of the provisional voter;
- 119 (b) The name of the reviewer;
- 120 (c) The date and time; and
- 121 (d) A description of evidence found that supports the voter's eligibility.
- 122 (5) The local election authority shall record on a provisional ballot acceptance/
123 rejection list the provisional ballot identification number and a notation marking it as
124 accepted.
- 125 (6) If the election authority determines that the provisional voter is not registered or
126 eligible to vote in the election, the election authority shall provide documentation verifying
127 the voter's ineligibility. Such documentation shall be noted on the copy of the provisional
128 ballot envelope and shall contain substantially the following information:
- 129 (a) The name of the provisional voter;
- 130 (b) The name of the reviewer;
- 131 (c) The date and time;
- 132 (d) A description of why the voter is ineligible.
- 133 (7) The local election authority shall record on a provisional ballot acceptance/
134 rejection list the provisional ballot identification number and notation marking it as rejected.
- 135 (8) If rejected, a photocopy of the envelope shall be made and used by the election
136 authority as a mail-in voter registration. The actual provisional ballot envelope shall be kept
137 as ballot material, and the copy of the envelope shall be used by the election authority for
138 registration record keeping.
- 139 6. All provisional ballots cast by voters whose eligibility has been verified as
140 provided in this section shall be counted in accordance with the rules governing ballot
141 tabulation. Provisional ballots shall not be counted until all provisional ballots are determined
142 either eligible or ineligible and all provisional ballots must be processed before the election is
143 certified. The provisional ballot shall be counted only if the election authority determines that
144 the voter is registered and eligible to vote. Provisional ballots voted in the wrong polling
145 place shall not be counted. If the voter is not registered but is qualified to register for future
146 elections, the affidavit shall be considered a mail-in application to register to vote pursuant to
147 this chapter.
- 148 7. (1) After the election authority completes its review of the provisional voter's
149 eligibility under subsection 5 of this section, the election authority shall deliver the
150 provisional ballots and copies of the provisional ballot envelopes that include eligibility
151 information to bipartisan counting teams, which may be the board of verification, for review
152 and tabulation. The election authority shall maintain a record of such delivery. The record
153 shall include the number of ballots delivered to each team and shall include a signed receipt

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

156 (2) If the person named on the provisional ballot affidavit is found to have been
157 properly qualified and registered to cast a ballot in the election and the provisional ballot
158 otherwise qualifies to be counted under the provisions of this section, the envelope shall be
159 opened, and the ballot shall be placed in a ballot box to be counted.

160 (3) If the person named on the provisional ballot affidavit is found not to have been
161 properly qualified and registered to cast a ballot in the election or if the election authority is
162 unable to determine such person's right to vote, the envelope containing the provisional ballot
163 shall not be opened, and the person's vote shall not be counted. The members of the team
164 shall follow the procedures set forth in subsection 5 of this section for rejected provisional
165 ballots.

166 (4) The votes shall be tallied and the returns made as provided in sections 115.447 to
167 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted,
168 the ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information
169 provided by the election authority shall be enclosed in sealed containers marked "Voted
170 provisional ballots and ballot envelopes from the election held _____, 20_____". All
171 rejected provisional ballots, ballot envelopes, and copies of ballot envelopes with the
172 eligibility information provided by the election authority shall be enclosed in sealed
173 containers marked "Rejected provisional ballots and ballot envelopes from the election held _
174 _____, 20_____". On the outside of each voted ballot and rejected ballot container, each
175 member of the team shall write their name and all such containers shall be returned to the
176 election authority. Upon receipt of the returns and ballots, the election authority shall tabulate
177 the provisional votes.

178 8. Challengers and watchers, as provided by sections 115.105 and 115.107, may be
179 present during all times that the bipartisan counting teams are reviewing or counting the
180 provisional ballots, the provisional ballot envelopes, or copies of the provisional ballot
181 envelopes that include eligibility information provided by the election authority. Challengers
182 and watchers shall be permitted to observe the determination of the eligibility of all
183 provisional ballots. The election authority shall notify the county chair of each major
184 political party of the time and location when bipartisan counting teams will be reviewing or
185 counting the provisional ballots, the provisional ballot envelopes, or the copies of the
186 provisional ballot envelopes that include the eligibility information provided by the election
187 authority.

188 9. The certificate of ballot cards shall:

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

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

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

194 11. The secretary of state may promulgate rules for purposes of ensuring the uniform
195 application of this section. No rule or portion of a rule promulgated pursuant to the authority
196 of this section shall become effective unless it has been promulgated pursuant to chapter 536.

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

199 13. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure
200 a free access system is established, such as a toll-free number or an internet website, that any
201 individual who casts a provisional ballot may access to discover whether the vote of that
202 individual was counted, and, if the vote was not counted, the reason that the vote was not
203 counted. At the time an individual casts a provisional ballot, the election authority shall give
204 the voter written information that states that any individual who casts a provisional ballot will
205 be able to ascertain under such free access system whether the vote was counted, and if the
206 vote was not counted, the reason that the vote was not counted.

207 14. In accordance with the Help America Vote Act of 2002, any individual who votes
208 in an election as a result of a court order or any other order extending the time established for
209 closing the polls in section 115.407 may vote only by using a provisional ballot, and such
210 provisional ballot shall be separated and held apart from other provisional ballots cast by
211 those not affected by the order. Such ballots shall not be counted until such time as the ballots
212 are determined to be valid. No state court shall have jurisdiction to extend the polling hours
213 established by law, including section 115.407.

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

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

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

12 (3) No vote shall be counted for any candidate that is not marked substantially in
13 accordance with the provisions of this section. The judges shall count votes marked

14 substantially in accordance with this section and section 115.456 when the intent of the voter
15 seems clear. Regulations promulgated by the secretary of state shall be used by the judges to
16 determine voter intent. No ballot containing any proper votes shall be rejected for containing
17 fewer marks than are authorized by law;

18 (4) Write-in votes shall be counted only for candidates for election to office who have
19 filed a declaration of intent to be a write-in candidate for election to office with the proper
20 election authority, who shall then notify the proper filing officer of the write-in candidate
21 prior to 5:00 p.m. on the second Friday immediately preceding the election day; except that,
22 write-in votes shall be counted only for candidates for election to state or federal office who
23 have filed a declaration of intent to be a write-in candidate for election to state or federal
24 office with the secretary of state pursuant to section 115.353 prior to 5:00 p.m. on the second
25 Friday immediately preceding the election day. No person who filed as a party or
26 independent candidate for nomination or election to an office may, without withdrawing as
27 provided by law, file as a write-in candidate for election to the same office for the same term.
28 No candidate who files for nomination to an office and is not nominated at a primary election
29 may file a declaration of intent to be a write-in candidate for the same office at the general
30 election. When declarations are properly filed with the secretary of state, the secretary of
31 state shall promptly transmit copies of all such declarations to the proper election authorities
32 for further action pursuant to this section. The election authority shall furnish a list to the
33 election judges and counting teams prior to election day of all write-in candidates who have
34 filed such declaration. ~~[This subdivision shall not apply to elections wherein candidates are
35 being elected to an office for which no candidate has filed.]~~ No person shall file a declaration
36 of intent to be a write-in candidate for election to any municipal office unless such person is
37 qualified to be certified as a candidate under section 115.306;

38 (5) Write-in votes shall be cast and counted for a candidate without party designation.
39 Write-in votes for a person cast with a party designation shall not be counted. Except for
40 candidates for political party committees, no candidate shall be elected as a write-in candidate
41 unless such candidate receives a separate plurality of the votes without party designation
42 regardless of whether or not the total write-in votes for such candidate under all party and
43 without party designations totals a majority of the votes cast;

44 (6) When submitted to the election authority, each declaration of intent to be a write-
45 in candidate for the office of United States president shall include the name of a candidate for
46 vice president and the name of nominees for presidential elector equal to the number to which
47 the state is entitled. At least one qualified resident of each congressional district shall be
48 nominated as presidential elector. Each such declaration of intent to be a write-in candidate
49 shall be accompanied by a declaration of candidacy for each presidential elector in
50 substantially the form set forth in subsection 3 of section 115.399. Each declaration of

51 candidacy for the office of presidential elector shall be subscribed and sworn to by the
52 candidate before the election official receiving the declaration of intent to be a write-in,
53 notary public or other officer authorized by law to administer oaths.

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

6 (1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample
7 ballots that may be furnished by an organization or individual at or near any voting place on
8 election day, except that this subdivision shall not be construed so as to interfere with the right
9 of an individual voter to erase or cause to be erased on a sample ballot the name of any
10 candidate and substituting the name of the person for whom he or she intends to vote; or to
11 dispose of the received sample ballot;

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

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

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

20 (5) On the part of any canvasser appointed to canvass any registration list, willfully
21 failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to
22 perform his duties in making such canvass or willfully neglecting any duties lawfully
23 assigned to him or her;

24 (6) On the part of any employer, making, enforcing, or attempting to enforce any
25 order, rule, or regulation or adopting any other device or method to prevent an employee from
26 engaging in political activities, accepting candidacy for nomination to, election to, or the
27 holding of, political office, holding a position as a member of a political committee, soliciting
28 or receiving funds for political purpose, acting as chairman or participating in a political
29 convention, assuming the conduct of any political campaign, signing, or subscribing his or her
30 name to any initiative, referendum, or recall petition, or any other petition circulated pursuant
31 to law;

32 (7) On the part of any person authorized or employed to print official ballots, or any
33 person employed in printing ballots, giving, delivering, or knowingly permitting to be taken
34 any ballot to or by any person other than the official under whose direction the ballots are

35 being printed, any ballot in any form other than that prescribed by law, or with unauthorized
36 names, with names misspelled, or with the names of candidates arranged in any way other
37 than that authorized by law;

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

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

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

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

51 (12) On the part of any election authority or official, willfully neglecting, refusing, or
52 omitting to perform any duty required of him or her by law with respect to holding and
53 conducting an election, receiving and counting out the ballots, or making proper returns;

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

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

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

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

64 (17) On the part of any person at any registration site, polling place, counting location
65 or verification location, causing any breach of the peace or engaging in disorderly conduct,
66 violence, or threats of violence whereby such registration, election, count or verification is
67 impeded or interfered with;

68 (18) Exit polling, surveying, sampling, electioneering, distributing election literature,
69 posting signs, **petitioning**, or placing vehicles bearing signs with respect to any candidate or
70 question to be voted on at ~~an~~ **a current or future** election on election day **or during the**
71 **absentee voting period** inside the building in which a polling place is located or within

72 twenty-five feet of the building's outer door closest to the polling place, or, on the part of any
73 person, refusing to remove or permit removal from property owned or controlled by such
74 person, any such election sign or literature located within such distance on such day after
75 request for removal by any person. **Notwithstanding the preceding sentence, an election**
76 **authority may, upon notice publicly posted at the office of the election authority not**
77 **later than six weeks prior to the election, provide that exit polling, surveying, sampling,**
78 **electioneering, distributing election literature, petitioning, or placing vehicles bearing**
79 **signs with respect to any candidate or question to be voted on at a current or future**
80 **election on election day or during the absentee voting period inside the building in which**
81 **a polling place is located may not take place within fifty feet of the building's outer door**
82 **closest to the polling place, or, on the part of any person, refusing to remove or permit**
83 **removal from property owned or controlled by such person, any such election sign or**
84 **literature located within such distance on such day after request for removal by any**
85 **person; provided that a candidate who is not seeking to vote shall be allowed to be up to**
86 **twenty-five feet from the building's outer door closest to the polling place and may**
87 **distribute election literature; and provided further that campaign signs shall be**
88 **permitted to be placed up to twenty-five feet from the building's outer door closest to the**
89 **polling place;**

90 (19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign
91 on private property, except that this subdivision shall not be construed to interfere with the
92 right of any private property owner to take any action with regard to campaign yard signs on
93 the owner's property and this subdivision shall not be construed to interfere with the right of
94 any candidate, or the candidate's designee, to remove the candidate's campaign yard sign from
95 the owner's private property after the election day.

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

130.031. 1. No contribution of cash in an amount of more than one hundred dollars
2 shall be made by or accepted from any single contributor for any election by a continuing

3 committee, a campaign committee, a political party committee, an exploratory committee or a
4 candidate committee.

5 2. Each expenditure of more than fifty dollars, except an in-kind expenditure, shall be
6 made by check signed by the committee treasurer, deputy treasurer, or candidate or by other
7 electronic means authorized by the treasurer, deputy treasurer, or candidate and drawn on the
8 committee's depository or credit card in the name of the committee and authorized by the
9 treasurer, deputy treasurer, or candidate. A single expenditure of cash shall not exceed fifty
10 dollars, and the aggregate of all expenditures of cash during a calendar year shall not exceed
11 the lesser of five thousand dollars or ten percent of all expenditures made by the committee
12 during that calendar year.

13 3. No contribution shall be made or accepted and no expenditure shall be made or
14 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or
15 through another person in such a manner as to conceal the identity of the actual source of the
16 contribution or the actual recipient and purpose of the expenditure. Any person who receives
17 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or
18 candidate the recipient's own name and address and the name and address of the actual source
19 of each contribution such person has received for that committee. Any person who makes
20 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or
21 candidate such person's own name and address, the name and address of each person to whom
22 an expenditure has been made and the amount and purpose of the expenditures the person has
23 made for that committee.

24 4. No anonymous contribution of more than twenty-five dollars shall be made by any
25 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by
26 any candidate or committee. If any anonymous contribution of more than twenty-five dollars
27 is received, it shall be returned immediately to the contributor, if the contributor's identity can
28 be ascertained, and if the contributor's identity cannot be ascertained, the candidate,
29 committee treasurer or deputy treasurer shall immediately transmit that portion of the
30 contribution which exceeds twenty-five dollars to the state treasurer and it shall escheat to the
31 state.

32 5. The maximum aggregate amount of anonymous contributions which shall be
33 accepted in any calendar year by any committee shall be the greater of five hundred dollars or
34 one percent of the aggregate amount of all contributions received by that committee in the
35 same calendar year. If any anonymous contribution is received which causes the aggregate
36 total of anonymous contributions to exceed the foregoing limitation, it shall be returned
37 immediately to the contributor, if the contributor's identity can be ascertained, and, if the
38 contributor's identity cannot be ascertained, the committee treasurer, deputy treasurer or

39 candidate shall immediately transmit the anonymous contribution to the state treasurer to
40 escheat to the state.

41 6. Notwithstanding the provisions of subsection 5 of this section, contributions from
42 individuals whose names and addresses cannot be ascertained which are received from a
43 fund-raising activity or event, such as defined in section 130.011, shall not be deemed
44 anonymous contributions, provided the following conditions are met:

45 (1) There are twenty-five or more contributing participants in the activity or event;

46 (2) The candidate, committee treasurer, deputy treasurer or the person responsible for
47 conducting the activity or event makes an announcement that it is illegal for anyone to make
48 or receive a contribution in excess of one hundred dollars unless the contribution is
49 accompanied by the name and address of the contributor;

50 (3) The person responsible for conducting the activity or event does not knowingly
51 accept payment from any single person of more than one hundred dollars unless the name and
52 address of the person making such payment is obtained and recorded pursuant to the record-
53 keeping requirements of section 130.036;

54 (4) A statement describing the event shall be prepared by the candidate or the
55 treasurer of the committee for whom the funds were raised or by the person responsible for
56 conducting the activity or event and attached to the disclosure report of contributions and
57 expenditures required by section 130.041. The following information to be listed in the
58 statement is in addition to, not in lieu of, the requirements elsewhere in this chapter relating to
59 the recording and reporting of contributions and expenditures:

60 (a) The name and mailing address of the person or persons responsible for conducting
61 the event or activity and the name and address of the candidate or committee for whom the
62 funds were raised;

63 (b) The date on which the event occurred;

64 (c) The name and address of the location where the event occurred and the
65 approximate number of participants in the event;

66 (d) A brief description of the type of event and the fund-raising methods used;

67 (e) The gross receipts from the event and a listing of the expenditures incident to the
68 event;

69 (f) The total dollar amount of contributions received from the event from participants
70 whose names and addresses were not obtained with such contributions and an explanation of
71 why it was not possible to obtain the names and addresses of such participants;

72 (g) The total dollar amount of contributions received from contributing participants in
73 the event who are identified by name and address in the records required to be maintained
74 pursuant to section 130.036.

75 7. No candidate or committee in this state shall accept contributions from any out-of-
76 state committee unless the out-of-state committee from whom the contributions are received
77 has filed a statement of organization pursuant to section 130.021 or has filed the reports
78 required by sections 130.049 and 130.050, whichever is applicable to that committee.

79 8. Any person publishing, circulating, or distributing any printed matter relative to
80 any candidate for public office or any ballot measure shall on the face of the printed matter
81 identify in a clear and conspicuous manner the person who paid for the printed matter with the
82 words "Paid for by" followed by the proper identification of the sponsor pursuant to this
83 section. For the purposes of this section, "printed matter" shall be defined to include any
84 pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any
85 newspaper or other periodical, sign, including signs for display on motor vehicles, or other
86 imprinted or lettered material; but printed matter is defined to exclude materials printed and
87 purchased prior to May 20, 1982, if the candidate or committee can document that delivery
88 took place prior to May 20, 1982; any sign personally printed and constructed by an
89 individual without compensation from any other person and displayed at that individual's
90 place of residence or on that individual's personal motor vehicle; any items of personal use
91 given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign
92 jewelry, or clothing, which is paid for by a candidate or committee which supports a candidate
93 or supports or opposes a ballot measure and which is obvious in its identification with a
94 specific candidate or committee and is reported as required by this chapter; and any news
95 story, commentary, or editorial printed by a regularly published newspaper or other periodical
96 without charge to a candidate, committee or any other person.

97 (1) In regard to any printed matter paid for by a candidate from the candidate's
98 personal funds, it shall be sufficient identification to print the first and last name by which the
99 candidate is known.

100 (2) In regard to any printed matter paid for by a committee, it shall be sufficient
101 identification to print the name of the committee as required to be registered by subsection 5
102 of section 130.021 and the name and title of the committee treasurer who was serving when
103 the printed matter was paid for.

104 (3) In regard to any printed matter paid for by a corporation or other business entity,
105 labor organization, or any other organization not defined to be a committee by subdivision (7)
106 of section 130.011 and not organized especially for influencing one or more elections, it shall
107 be sufficient identification to print the name of the entity, the name of the principal officer of
108 the entity, by whatever title known, and the mailing address of the entity, or if the entity has
109 no mailing address, the mailing address of the principal officer.

110 (4) In regard to any printed matter paid for by an individual or individuals, it shall be
111 sufficient identification to print the name of the individual or individuals and the respective

112 mailing address or addresses, except that if more than five individuals join in paying for
113 printed matter it shall be sufficient identification to print the words "For a list of other
114 sponsors contact:" followed by the name and address of one such individual responsible for
115 causing the matter to be printed, and the individual identified shall maintain a record of the
116 names and amounts paid by other individuals and shall make such record available for review
117 upon the request of any person. No person shall accept for publication or printing nor shall
118 such work be completed until the printed matter is properly identified as required by this
119 subsection.

120 9. Any broadcast station transmitting any matter relative to any candidate for public
121 office or ballot measure as defined by this chapter shall identify the sponsor of such matter as
122 required by federal law.

123 10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for
124 elective federal office, provided that persons causing matter to be printed or broadcast
125 concerning such candidacies shall comply with the requirements of federal law for
126 identification of the sponsor or sponsors.

127 11. It shall be a violation of this chapter for any person required to be identified as
128 paying for printed matter pursuant to subsection 8 of this section or paying for broadcast
129 matter pursuant to subsection 9 of this section to refuse to provide the information required or
130 to purposely provide false, misleading, or incomplete information.

131 12. It shall be a violation of this chapter for any committee to offer chances to win
132 prizes or money to persons to encourage such persons to endorse, send election material by
133 mail, deliver election material in person or contact persons at their homes; except that, the
134 provisions of this subsection shall not be construed to prohibit hiring and paying a campaign
135 staff.

136 **13. All solicitations, except those from a connected organization of a continuing**
137 **committee, shall state, in a clear and conspicuous manner, the continuing committee,**
138 **campaign committee, political party committee, exploratory committee, or candidate**
139 **committee that will benefit from any funds received as a result of the solicitation. The**
140 **solicitation shall also indicate what percentage of the donation will be received by the**
141 **committee and any business, corporation, or other entity that will receive any part of the**
142 **contribution.**

143 **14. (1) A committee soliciting a recurring contribution for an expenditure or**
144 **printed or broadcast matter may accept the recurring contribution only if the**
145 **contributor gives affirmative consent for the recurring contribution. The passive action**
146 **of a contributor, including but not limited to failing to uncheck a prechecked box**
147 **authorizing a recurring contribution, shall not constitute affirmative consent.**

148 **(2) If a contributor affirmatively consents to making a recurring contribution,**
149 **the committee soliciting the recurring contribution shall:**

150 **(a) Provide a receipt to the contributor for each contribution that clearly and**
151 **conspicuously discloses:**

152 **a. The frequency of the recurring contributions;**

153 **b. The duration of the recurring contributions; and**

154 **c. All information needed to cancel recurring contributions; and**

155 **(b) At the request of the contributor, terminate any future scheduled deductions**
156 **prior to the next scheduled deduction date.**

157 **(3) A committee that solicits and receives a contribution in violation of this**
158 **section shall return the contribution to the contributor immediately after receiving the**
159 **contribution. The amount of any contribution received in violation of this section is an**
160 **outstanding obligation of the committee that solicited and received the contribution**
161 **until the contribution is repaid to the contributor.**

162 **(4) The Missouri ethics commission may impose a civil penalty on committees**
163 **violating this subsection of up to one hundred times the amount of the contribution**
164 **received in violation of this subsection.**

165 **(5) Recurring contributions made under this subsection to support or oppose a**
166 **candidate or ballot measure shall automatically end after the election at which the**
167 **candidate or measure appeared on the ballot, except that recurring contributions made**
168 **to any candidate who wins a primary election may continue until the general election.**

130.034. 1. Contributions as defined in section 130.011, received by any committee
2 shall not be converted to any personal use.

3 2. Contributions may be used for any purpose allowed by law including, but not
4 limited to:

5 (1) Any ordinary expenses incurred relating to a campaign;

6 (2) Any ordinary and necessary expenses incurred in connection with the duties of a
7 holder of elective office;

8 (3) **Any childcare expenses that result directly from campaigning for office or in**
9 **connection with the duties of public office that would not have been otherwise incurred**
10 **but for those activities. Eligible childcare expenses include any expenses that provide**
11 **for the well-being and protection of the child, provided that no expenditure shall be**
12 **made to a member of the candidate's or office holder's household;**

13 (4) Any expenses associated with the personal security of the holder of elective
14 **office;**

15 **(5)** Any expenses associated with the duties of candidacy or of elective office
16 pertaining to the entertaining of or providing social courtesies to constituents, professional
17 associations, or other holders of elective office;

18 ~~[(4)]~~ **(6)** The return of any contribution to the person who made the contribution to
19 the candidate or holder of elective office;

20 ~~[(5)]~~ **(7)** To contribute to a political organization ~~[or candidate committee]~~ as allowed
21 by law;

22 ~~[(6)]~~ **(8)** To establish a new committee as defined by this chapter;

23 ~~[(7)]~~ **(9)** To make an unconditional gift which is fully vested to any charitable,
24 fraternal or civic organizations or other associations formed to provide for some good in the
25 order of benevolence, if such candidate, former candidate or holder of elective office or such
26 person's immediate family gain no direct financial benefit from the unconditional gift;

27 ~~[(8)]~~ **(10)** Except when such candidate, former candidate or holder of elective office
28 dies while the committee remains in existence, the committee may make an unconditional gift
29 to a fund established for the benefit of the spouse and children of the candidate, former
30 candidate or holder of elective office. The provisions of this subdivision shall expire October
31 1, 1997.

32 3. Upon the death of the candidate, former candidate or holder of elective office who
33 received such contributions, all contributions shall be disposed of according to this section
34 and any funds remaining after final settlement of the candidate's decedent's estate, or if no
35 estate is opened, then twelve months after the candidate's death, will escheat to the state of
36 Missouri to be deposited in the general revenue fund.

37 4. No contributions, as defined in section 130.011, received by a candidate, former
38 candidate or holder of elective office shall be used to make restitution payments ordered of
39 such individual by a court of law or for the payment of any fine resulting from conviction of a
40 violation of any local, state or federal law.

41 5. Committees described in subdivision (18) of section 130.011 shall make
42 expenditures only for the purpose of determining whether an individual will be a candidate.
43 Such expenditures include polling information, mailings, personal appearances, telephone
44 expenses, office and travel expenses but may not include contributions to other candidate
45 committees.

46 6. Any moneys in the exploratory committee fund may be transferred to the candidate
47 committee upon declaration of candidacy for the position being explored. Such funds shall be
48 included for the purposes of reporting and limitation. In the event that candidacy is not
49 declared for the position being explored, the remaining exploratory committee funds shall be
50 returned to the contributors on a pro rata basis. In no event shall the amount returned exceed
51 the amount given by each contributor nor be less than ten dollars.

52 7. Funds held in candidate committees, campaign committees, debt service
53 committees, and exploratory committees shall be liquid such that these funds shall be
54 readily available for the specific and limited purposes allowed by law. These funds may be
55 invested only in short-term treasury instruments or short-term bank certificates with durations
56 of one year or less, or that allow the removal of funds at any time without any additional
57 financial penalty other than the loss of interest income. Continuing committees, political
58 party committees, and other committees such as out-of-state committees not formed for the
59 benefit of any single candidate or ballot issue shall not be subject to the provisions of this
60 subsection. This subsection shall not be interpreted to restrict the placement of funds in an
61 interest-bearing checking account.

 Section B. In the event that any section, provision, clause, phrase, or word of this act
2 or the application thereof is declared invalid under the Constitution of the United States or the
3 Constitution of the State of Missouri, whether on procedural or substantive grounds, it is the
4 intent of the general assembly that the remaining sections of this act remain in force and effect
5 as far as they are capable of being carried into execution as intended by the general assembly.
6 The general assembly hereby declares that it would have passed each section, provision,
7 clause, phrase, or word thereof, irrespective of the fact that any one or more sections,
8 provisions, clauses, phrases, or words of this act or the application of this act would be
9 declared unenforceable, unconstitutional, or invalid.

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