

SECOND REGULAR SESSION

# HOUSE BILL NO. 1738

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE STRICKLER.

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JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 115.277, RSMo, and to enact in lieu thereof one new section relating to absentee voting procedures.

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

Section A. Section 115.277, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.277, to read as follows:

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

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

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

49 5. Any interstate former resident may vote by absentee ballot for presidential and vice  
50 presidential electors.

51 6. Any new resident may vote by absentee ballot for presidential and vice presidential  
52 electors after registering to vote in such resident's new jurisdiction of residence.