

SECOND REGULAR SESSION

HOUSE BILL NO. 3263

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SIMMONS.

6515H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 115.013, 115.074, 115.078, 115.105, 115.107, 115.111, 115.158, 115.179, 115.181, 115.193, 115.221, 115.642, 116.030, 116.040, 116.050, 116.080, 116.090, 116.110, 116.130, 116.200, and 116.332, RSMo, and section 116.190 as enacted by senate bill no. 22, one hundred third general assembly, first regular session, section 116.190 as enacted by senate bill no. 104, ninety-eighth general assembly, first regular session, section 116.334 as enacted by senate bill no. 22, one hundred third general assembly, first regular session, and section 116.334 as enacted by house bill no. 117, ninety-seventh general assembly, first regular session, and to enact in lieu thereof thirty new sections relating to elections, with penalty provisions and a delayed effective date for certain sections.

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

Section A. Sections 115.013, 115.074, 115.078, 115.105, 115.107, 115.111, 115.158,
2 115.179, 115.181, 115.193, 115.221, 115.642, 116.030, 116.040, 116.050, 116.080, 116.090,
3 116.110, 116.130, 116.200, and 116.332, RSMo, and section 116.190 as enacted by senate bill
4 no. 22, one hundred third general assembly, first regular session, section 116.190 as enacted
5 by senate bill no. 104, ninety-eighth general assembly, first regular session, section 116.334
6 as enacted by senate bill no. 22, one hundred third general assembly, first regular session, and
7 section 116.334 as enacted by house bill no. 117, ninety-seventh general assembly, first
8 regular session, are repealed and thirty new sections enacted in lieu thereof, to be known as
9 sections 115.013, 115.028, 115.105, 115.107, 115.158, 115.179, 115.181, 115.193, 115.214,
10 115.220, 115.221, 115.224, 115.642, 115.1049, 115.1500, 115.1505, 115.1510, 115.1600,

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.

11 116.030, 116.040, 116.045, 116.050, 116.080, 116.090, 116.110, 116.130, 116.190, 116.200,
12 116.332, and 116.334, to read as follows:

115.013. As used in this chapter, unless the context clearly implies otherwise, the
2 following terms mean:

3 (1) "Air-gap" or "air-gapped", a security measure in which equipment is physically
4 and technically isolated from any network and is not directly connected to the internet nor is it
5 connected to any other system that is connected to the internet. Data can only be passed to an
6 air-gapped device physically via a USB or other removable media;

7 (2) **"Audit log", a time-sequenced, tamper-evident record automatically**
8 **generated by voting systems or election management systems that reflects user access,**
9 **system events, software and hardware status, adjudication actions, error conditions, and**
10 **tabulation activities;**

11 (3) "Automatic tabulating equipment", the apparatus necessary to examine and
12 automatically count votes, and the data processing machines which are used for counting
13 votes and tabulating results and which are air-gapped and not physically able to be connected
14 to a network;

15 [~~3~~] (4) "Ballot", the paper ballot, or ballot designed for use with an electronic
16 voting system on which each voter may cast all votes to which he or she is entitled at an
17 election;

18 [~~4~~] (5) **"Ballot image", a digitized image of a voted ballot card created by an**
19 **optical scanner or other certified tabulator during the counting process;**

20 (6) "Ballot label", the card, paper, booklet, page, or other material containing the
21 names of all offices and candidates and statements of all questions to be voted on;

22 [~~5~~] (7) **"Cast vote record (CVR)", a digital record of voter selections captured**
23 **from a single, individual ballot as interpreted by a certified tabulator;**

24 (8) "Counting location", a location selected by the election authority for the automatic
25 processing or counting, or both, of ballots;

26 [~~6~~] (9) "County", any county in this state or any city not within a county;

27 [~~7~~] (10) **"Curing", any post-return contact, outreach, or solicitation by an**
28 **election authority or its agent inviting or permitting a voter to add, change, or supply**
29 **information or a signature to make a returned absentee ballot or mail-in ballot**
30 **countable. "Curing" shall not include the issuance of a notice of rejection, the voter's**
31 **choice to vote a replacement ballot before return or to vote in person, or procedures**
32 **required by federal law for covered voters under sections 115.275 to 115.936;**

33 (11) "Disqualified", a determination made by a court of competent jurisdiction, the
34 Missouri ethics commission, an election authority or any other body authorized by law to

35 make such a determination that a candidate is ineligible to hold office or not entitled to be
36 voted on for office;

37 ~~[(8)]~~ **(12)** "District", an area within the state or within a political subdivision of the
38 state from which a person is elected to represent the area on a policy-making body with
39 representatives of other areas in the state or political subdivision;

40 ~~[(9)]~~ **(13)** "Electronic voting machine", any part of an air-gapped electronic voting
41 system on which a voter is able to cast a ballot under this chapter;

42 ~~[(10)]~~ **(14)** "Electronic voting system", a system of casting votes by use of marking
43 devices, and counting votes by use of automatic air-gapped tabulating or air-gapped data
44 processing equipment, including computerized voting systems that mark or tabulate ballots;

45 ~~[(11)]~~ **(15)** "Established political party" for the state, a political party which, at either
46 of the last two general elections, polled for its candidate for any statewide office more than
47 two percent of the entire vote cast for the office. "Established political party" for any district
48 or political subdivision shall mean a political party which polled more than two percent of the
49 entire vote cast at either of the last two elections in which the district or political subdivision
50 voted as a unit for the election of officers or representatives to serve its area;

51 ~~[(12)]~~ **(16)** "Federal office", the office of presidential elector, United States senator, or
52 representative in Congress;

53 ~~[(13)]~~ **(17)** "Independent", a candidate who is not a candidate of any political party
54 and who is running for an office for which political party candidates may run;

55 ~~[(14)]~~ **(18)** "Major political party", the political party whose candidates received the
56 highest or second highest number of votes at the last general election;

57 ~~[(15)]~~ **(19)** "Marking device", any device approved by the secretary of state under
58 section 115.225 which will enable the votes to be counted by automatic tabulating equipment;

59 ~~[(16)]~~ **(20)** "Municipal" or "municipality", a city, village, or incorporated town of this
60 state;

61 ~~[(17)]~~ **(21)** "New party", any political group which has filed a valid petition and is
62 entitled to place its list of candidates on the ballot at the next general or special election;

63 ~~[(18)]~~ **(22)** "Nonpartisan", a candidate who is not a candidate of any political party
64 and who is running for an office for which party candidates may not run;

65 ~~[(19)]~~ **(23)** "Political party", any established political party and any new party;

66 ~~[(20)]~~ **(24)** "Political subdivision", a county, city, town, village, or township of a
67 township organization county;

68 ~~[(21)]~~ **(25)** "Polling place", the voting place designated for all voters residing in one
69 or more precincts for any election;

70 ~~[(22)]~~ **(26)** "Precincts", the geographical areas into which the election authority
71 divides its jurisdiction for the purpose of conducting elections;

72 ~~[(23)]~~ (27) "Public office", any office established by constitution, statute or charter
73 and any employment under the United States, the state of Missouri, or any political
74 subdivision or special district thereof, but does not include any office in the Missouri state
75 defense force or the National Guard or the office of notary public or city attorney in cities of
76 the third classification or cities of the fourth classification;

77 ~~[(24)]~~ (28) "Question", any measure on the ballot which can be voted "YES" or
78 "NO";

79 ~~[(25)]~~ (29) "Relative within the second degree by consanguinity or affinity", a spouse,
80 parent, child, grandparent, brother, sister, grandchild, mother-in-law, father-in-law, daughter-
81 in-law, or son-in-law;

82 ~~[(26)]~~ (30) "Special district", any school district, water district, fire protection district,
83 hospital district, health center, nursing district, or other districts with taxing authority, or other
84 district formed pursuant to the laws of Missouri to provide limited, specific services;

85 ~~[(27)]~~ (31) "Special election", elections called by any school district, water district,
86 fire protection district, or other district formed pursuant to the laws of Missouri to provide
87 limited, specific services; and

88 ~~[(28)]~~ (32) "**Voter activity**", **registering to vote, voting in an election, signing a**
89 **petition to form a new political party, signing a petition for the nomination of an**
90 **independent candidate for office, or signing an initiative petition;**

91 (33) "Voting district", the one or more precincts within which all voters vote at a
92 single polling place for any election.

115.028. 1. The department of health and senior services shall, on a monthly
2 **basis, provide the secretary of state with a report of every death certificate filed with the**
3 **department in the preceding month.**

4 **2. The secretary of state shall, upon receipt of the report required under**
5 **subsection 1 of this section, notify appropriate local election authorities of the deaths.**

6 **3. The local election authority shall remove from its voter rolls any names**
7 **received from the secretary of the state under subsection 2 of this section.**

115.105. 1. The chair of the county committee of each political party named on the
2 ballot shall have the right to designate a challenger for each polling place, who may be
3 present until all ballots are cast on the day of election, and a challenger for each location at
4 which absentee ballots are counted, who may be present while the ballots are being prepared
5 for counting and counted. No later than four business days before the election, the chair of
6 each county committee of each political party named on the ballot shall provide signed
7 official designation forms with the names of the designated challengers and substitutes to the
8 local election authority for confirmation of eligibility to serve as a challenger. The local
9 election authority, after verifying the eligibility of each designated and substitute challenger,

10 shall sign off on the official designation forms, unless the challenger is found not to have the
11 qualifications established by subsection 4 of this section. If the election authority determines
12 that a challenger does not meet the qualifications of subsection 4 of this section, the
13 designating party chair may designate a replacement challenger and provide the local election
14 authority with the name of the replacement challenger before 5:00 p.m. of the Monday
15 preceding the election. The designating chair may substitute challengers at his or her
16 discretion during such hours.

17 2. Challenges may only be made when the challenger believes the election laws of
18 this state have been or will be violated, and each challenger shall report any such belief to the
19 election judges, or to the election authority if not satisfied with the decision of the election
20 judges.

21 3. Prior to the close of the polls, challengers may list and give out the names of those
22 who have voted. The listing and giving out of names of those who have voted by a challenger
23 shall not be considered giving information tending to show the state of the count.

24 4. All persons selected as challengers shall ~~[have the same qualifications required by~~
25 ~~section 115.085 for election judges, except that such challenger shall be a registered voter in~~
26 ~~the jurisdiction of the election authority for which the challenger is designated as a~~
27 ~~challenger]~~ **be residents of the state of Missouri and registered voters in the state. They**
28 **do not need to be registered voters in the jurisdiction of the election authority for which**
29 **the challenger is a designated challenger.**

30 5. Any challenge by a challenger to a voter's identification for validity shall be made
31 only to the election judges or other election authority. If the poll challenger is not satisfied
32 with the decision of the election judges, then he or she may report his or her belief that the
33 election laws of this state have been or will be violated to the election authority as allowed
34 under this section.

35 **6. (1) Any challenger may be removed from a polling place if the individual**
36 **engages in any violation of law or misconduct including, but not limited to:**

37 **(a) Physically obstructing a voter from entering or exiting a polling place or**
38 **marking a ballot;**

39 **(b) Attempting to influence a voter's choice or engage in electioneering;**

40 **(c) Handling original marked ballots, voting equipment, or the electronic voter**
41 **registration system without express legal authorization;**

42 **(d) Intentionally creating noise or disturbance that prevents election judges from**
43 **performing their statutory duties; or**

44 **(e) Persistently addressing voters directly after being instructed by an election**
45 **judge to address all concerns only to the election judges or authority.**

46 **(2) Except in cases of immediate physical threat or violation of ballot secrecy, if**
47 **any challenger engages in a violation of law or misconduct under subdivision (1) of this**
48 **subsection:**

49 **(a) Election judges shall ask a challenger to leave or cease the interference;**

50 **(b) If the interference continues, the election judges shall notify the election**
51 **authority, who shall take action as he or she deems necessary;**

52 **(c) It shall be the duty of the police, if requested by the election authority or**
53 **election judges, to exclude any challenger from the polling place.**

54 **(3) If a challenger is removed, the political party or committee that designated**
55 **the challenger shall have the right to designate a replacement immediately, provided he**
56 **or she meets the requirements of this section.**

115.107. 1. ~~[At every election,]~~ The chairman of the county committee of each
2 political party named on the ballot shall have the right to designate a watcher for each place
3 votes are counted.

4 2. Watchers ~~[are to observe the counting of the votes and present]~~ **may be present**
5 **and observe the counting of the votes and may present** any complaint of irregularity or law
6 violation to the election judges, or to the election authority if not satisfied with the decision of
7 the election judges. No watcher may be substituted for another on election day.

8 3. No watcher shall report to anyone the name of any person who has or has not
9 voted.

10 4. A watcher may remain present until all closing certification forms are completed,
11 all equipment is closed and taken down, the transportation case for the ballots is sealed,
12 election materials are returned to the election authority or to the designated collection place
13 for a polling place, and any other duties or procedures required under sections 115.447 to
14 115.491 are completed. A watcher may also remain present at each location at which
15 absentee ballots are counted and may remain present while such ballots are being prepared for
16 counting and counted **and shall have uniform nondiscriminatory access to observe all**
17 **stages of the election process including, but not limited to, the certification of election**
18 **technologies, in-person absentee voting, canvassing, elector appeals, vote tabulation,**
19 **ballot transport, auditing, and recounts.**

20 5. All persons selected as watchers shall ~~[have the same qualifications required by~~
21 ~~section 115.085 for election judges, except that such watcher shall be a registered voter in the~~
22 ~~jurisdiction of the election authority for which the watcher is designated as a watcher]~~ **be**
23 **residents of the state of Missouri and registered voters in the state. Watchers shall not**
24 **be required to be registered voters in the jurisdiction of the election authority for which**
25 **the watcher is designated as a watcher.**

26 **6. The election authority shall clearly designate observation areas for election**
27 **watchers. The observation areas shall be not less than three feet nor more than six feet**
28 **from the table at which electors announce their name and address to be issued a voter**
29 **number at the polling place, office, or alternate site and not less than three feet nor more**
30 **than six feet from the table at which a person may register to vote at the polling place,**
31 **office, or alternate site. The observation areas shall be so positioned to permit any**
32 **election observer to readily observe all public aspects of the voting process.**

33 **7. An election watcher shall wear a badge with his or her name and the name of**
34 **the political party the individual is representing.**

35 **8. An election watcher shall not wear any campaign material advocating voting**
36 **for or against a candidate or for or against any position on a ballot question.**

37 **9. (1) Any watcher may be removed from a polling place or counting location if**
38 **the individual engages in any violation of law or misconduct including, but not limited**
39 **to:**

40 **(a) Physically obstructing a voter from entering or exiting a polling place or**
41 **marking a ballot;**

42 **(b) Attempting to influence a voter's choice or engage in electioneering;**

43 **(c) Handling original marked ballots, voting equipment, or the electronic voter**
44 **registration system without express legal authorization;**

45 **(d) Intentionally creating noise or disturbance that prevents election judges from**
46 **performing their statutory duties; or**

47 **(e) Persistently addressing voters directly after being instructed by an election**
48 **judge to address all concerns only to the election judges or authority.**

49 **(2) Except in cases of immediate physical threat or violation of ballot secrecy, if**
50 **any watcher engages in a violation of law or misconduct under subdivision (1) of this**
51 **subsection:**

52 **(a) Election judges shall ask a challenger to leave or cease the interference;**

53 **(b) If the interference continues, the election judges shall notify the election**
54 **authority, who shall take action as he or she deems necessary;**

55 **(c) It shall be the duty of the police, if requested by the election authority or**
56 **election judges, to exclude any watcher from the polling place or the place where votes**
57 **are being counted.**

58 **(3) If a watcher is removed, the political party or committee that designated the**
59 **watcher shall have the right to designate a replacement immediately, provided he or she**
60 **meets the requirements of this section.**

61 **10. An election watcher shall not interfere with any elector in the preparation or**
62 **casting of the elector's ballot or hinder or prevent the performance of the duties of any**
63 **election official.**

64 **11. An election watcher is entitled to bring in voter lists to observe.**

65 **12. Any election authority or election judge who violates this section is guilty of a**
66 **class D misdemeanor.**

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

8 (1) Assign a unique identifier to each legally registered voter in Missouri;

9 (2) Serve as the single system for storing and managing the official list of registered
10 voters throughout Missouri;

11 (3) Be coordinated with other agency databases in Missouri;

12 (4) Allow any election official in Missouri, including local election authorities,
13 immediate electronic access to the information contained in the system;

14 (5) Allow all voter registration information obtained by any local election official in
15 Missouri to be electronically entered into the system on an expedited basis at the time the
16 information is provided to the local official. The secretary of state, as the chief state election
17 official, shall provide such support as may be required so that local election officials are able
18 to enter the registration information; and

19 (6) Serve as the official voter registration list for the conduct of all elections in
20 Missouri.

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

23 (1) Removing names in accordance with the provisions and procedures of the
24 National Voter Registration Act of 1993 and coordinating system maintenance activities with
25 state agency records on death and felony status;

26 (2) Requiring the name of each registered voter to appear in the system;

27 (3) Removing only voters who are not registered or who are not eligible to vote; and

28 (4) Eliminating duplicate names from the system.

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

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

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

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

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

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

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

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

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

52 (3) The secretary of state and the director of the department of revenue shall enter into
53 an agreement to match information in the database of the voter registration system with
54 information in the database of the motor vehicle system, **which shall include information**
55 **pertaining to the citizenship status of those within the department of revenue's database,**
56 to enable the secretary to verify the accuracy of information provided on applications for
57 voter registration.

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

60 **(5) In addition to the agreements described in subdivisions (3) and (4) of this**
61 **subsection, the secretary of state shall enter into, maintain, and implement an**
62 **agreement or memorandum of understanding with the Department of Homeland**
63 **Security, or its designee, to utilize the Systematic Alien Verification for Entitlements**
64 **(SAVE) program for the sole purpose of verifying the citizenship status of registered**
65 **voters and voter registration applicants.**

66 **(6) The secretary of state shall conduct SAVE verifications at least twice each**
67 **calendar year and upon each registration where available data indicates potential**
68 **noncitizenship.**

69 **(7) Before any action based in whole or in part on SAVE information, the**
70 **election authority shall provide the registered voter or applicant written notice and at**
71 **least thirty days to respond with acceptable evidence of citizenship. A registered voter**
72 **shall not be removed from the voter rolls within ninety days of a federal election, except**
73 **at the voter's request or upon receipt of a final judgment of ineligibility. The secretary**
74 **of state shall by rule specify acceptable evidence and uniform notice forms and shall**
75 **track and report the aggregate number of notices issued and outcomes of each**
76 **investigation.**

77 **(8) The secretary of state may promulgate all necessary rules and regulations for**
78 **the administration of subdivisions (5) to (7) of this subsection. Any rule or portion of a**
79 **rule, as that term is defined in section 536.010, that is created under the authority**
80 **delegated in this section shall become effective only if it complies with and is subject to**
81 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
82 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
83 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
84 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
85 **and any rule proposed or adopted after August 28, 2026, shall be invalid and void.**

86 6. In addition to using the system for voter registration, the election authorities and
87 secretary of state may use the system for the collection and dissemination of election results
88 and other pertinent information. Any information contained in any state or local voter
89 registration system, limited to the master voter registration list or any other list generated
90 from the information, subject to chapter 610, shall not be used for commercial purposes;
91 provided, however, that the information may be used for elections, for candidates, or for
92 ballot measures, furnished at a reasonable fee. Violation of this section shall be a class B
93 misdemeanor. For purposes of this section, "commercial purposes" means the use of a public
94 record for the purpose of sale or resale or for the purpose of producing a document containing
95 all or part of the copy, printout, or photograph for sale or the obtaining of names and
96 addresses from public records for the purpose of solicitation or the sale of names and
97 addresses to another for the purpose of solicitation or for any purpose in which the purchaser
98 can reasonably anticipate the receipt of monetary gain from the direct or indirect use of the
99 public record.

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

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

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

115.179. ~~[4.]~~ The election authority shall ~~[have]~~ **canvass** the registration records of
 2 all precincts in its jurisdiction ~~[canvassed]~~ every two years ~~[in accordance with subsection 3~~
 3 ~~of section 115.163 and that it]~~. **Such canvass shall** be completed no later than ninety days
 4 prior to the date of a primary or general election for federal office. ~~[The election authority~~
 5 ~~may utilize postal service contractors under the federal National Change of Address program~~
 6 ~~to canvass the records.~~

7 ~~2. In each jurisdiction without a board of election commissioners, the county clerk~~
 8 ~~shall have the registration records of all precincts in its jurisdiction canvassed every two years~~
 9 ~~in accordance with subsection 3 of section 115.163 and that it be completed no later than~~
 10 ~~ninety days prior to the date of a primary or general election for federal office.]~~

115.181. 1. In its discretion, the election authority may order all or any part of a
 2 canvass to be made **using any one of the following methods, or any combination thereof:**

- 3 (1) House-to-house, **pursuant to sections 115.185 and 115.187;**
- 4 (2) Through the United States Postal Service, ~~[or by both methods]~~ **pursuant to**
 5 **section 115.189; or**
- 6 (3) **Through the utilization of postal service contractors pursuant to the federal**
 7 **National Change of Address program.**

8 2. At the discretion of the election authority, ~~[the]~~ a canvass may be made by
 9 including only those voters who did not vote at the last general election and those voters who
 10 registered since the last general election.

115.193. 1. Upon completion of a canvass as provided for in this chapter, **the**
 2 **election authority shall remove** a registered voter's name ~~[shall not be removed]~~ from the
 3 list of registered voters **on the precinct register** on the ground that the voter has changed
 4 residence ~~[unless]~~ **if:**

- 5 (1) The voter confirms in writing that the voter has changed residence to a place
 6 outside the election authority's jurisdiction in which the voter is registered; or
- 7 (2) The voter fails to respond to a notice described in **subsection 3** of this section and
 8 has not ~~[voted in an election]~~ **engaged in voter activity** during the period beginning on the
 9 date of the notice and ending on the day after the date of the second general election that
 10 occurs after the date of the notice.

11 2. The notice referred to in subsection 1, subdivision (2) of this section shall contain a
12 postage prepaid and preaddressed return card, sent by forwardable mail, on which the voter
13 may state the voter's current address.

14 3. The notice shall also contain the following statements:

15 "(1) Any voter who has not changed his or her residence, or has changed residence
16 but remained in the same election authority's jurisdiction, shall return the card not later than
17 the fourth Wednesday prior to the next election. If the card is not returned by this date, oral or
18 written affirmation of the voter's address may be required at the polling place before the voter
19 will be permitted to vote in an election during the period beginning on the date of the notice
20 and ending on the day after the date of the second general election that occurs after the date of
21 the notice. Any voter who does not ~~[vote in an election]~~ **engage in voter activity** during that
22 period, will have his or her name removed from the list of eligible voters;

23 (2) For additional information on registering to vote, contact the election authority
24 located in the county of your current residence. If you reside in the City of St. Louis, contact
25 the St. Louis City election board."

26 4. If the election authority believes that the name of any voter was improperly
27 removed from the ~~[registration records]~~ **list of registered voters on the precinct register**, it
28 may, by telephone or in writing on election day, authorize election judges to permit the voter
29 to vote. The voter may be required to execute an affidavit of qualification on a form
30 prescribed by the election authority before being permitted to vote.

31 5. An election authority may designate any voter as an inactive voter if the election
32 authority receives from the United States Postal Service notification that the voter no longer
33 resides at the address last known to the election authority and no forwarding address is
34 available, or the voter fails to respond to the notice authorized in subdivision (2) of subsection
35 1 of this section within thirty days after the election authority sends such notice. Such voter
36 may be designated as an inactive voter only until:

37 (1) The voter returns such notice to the election authority;

38 (2) The voter provides the election authority with his or her new address pursuant to
39 the provisions of this chapter;

40 (3) The voter provides a written affirmation that the voter has not changed residence;
41 or

42 (4) The election authority receives sufficient information to remove the voter from
43 the list of registered voters pursuant to this section or section 115.165, or return the voter to
44 the active list of registered voters in the jurisdiction.

45 6. An election authority may exclude inactive voters to determine only:

46 (1) The number of ballots to be printed pursuant to section 115.247;

47 (2) The proportional costs of elections; or

48 (3) Mailing information to registered voters.

2 **115.214. 1. No election authority, and no person acting on behalf of an election**
3 **authority, shall engage in curing, as defined in section 115.013, for any absentee or mail**
4 **ballot after the ballot has been returned to the election authority.**

5 **2. A ballot returned without the voter's signature, required notarization or**
6 **attestation, or other requirement specified by law shall be rejected and shall not be**
7 **made countable by the addition, alteration, or supplementation of information after**
8 **return.**

9 **3. Within four business days after rejections, the election authority shall mail or**
10 **electronically transmit a notice of rejection to the voter stating each reason for rejection**
11 **and informing the voter of any available options to vote in person or by provisional**
12 **ballot under existing law.**

13 **4. Nothing in this section shall be construed to:**

14 **(1) Restrict the ability of a voter to obtain and vote a replacement absentee or**
15 **mail ballot prior to returning the ballot;**

16 **(2) Restrict any procedures required by federal law for covered voters under**
17 **sections 115.275 to 115.936; or**

18 **(3) Prohibit a voter from voting in person on election day where otherwise**
19 **permitted by law.**

20 **5. The secretary of state may promulgate all necessary rules and regulations for**
21 **the administration of this section. Any rule or portion of a rule, as that term is defined**
22 **in section 536.010, that is created under the authority delegated in this section shall**
23 **become effective only if it complies with and is subject to all of the provisions of chapter**
24 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
25 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
26 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
27 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
adopted after August 28, 2026, shall be invalid and void.

115.220. 1. State agencies shall provide to the secretary of state, on a schedule to
2 **be determined by the secretary of state, any information and data that the secretary of**
3 **state considers necessary to maintain the statewide voter registration database**
4 **established according to section 115.158, except where prohibited by federal law or**
5 **federal regulation. The secretary of state shall ensure that any information or data**
6 **provided to the secretary of state that is confidential in the possession of the entity**
7 **providing the data remains confidential while in the possession of the secretary of state.**

8 **2. The secretary of state shall enter into agreements to share information or data**
9 **that is in the possession of the secretary of state with other states or groups of states, as**

10 the secretary of state considers necessary, to maintain the statewide voter registration
11 database. Except as otherwise provided in this section, the secretary of state shall
12 ensure that any information or data provided to the secretary of state that is
13 confidential remains confidential while in the possession of the secretary of state.

14 3. The clerk of each circuit court shall, on or before the tenth day of each month,
15 prepare and transmit to the secretary of state, in a format prescribed by the secretary of
16 state, a complete list of all persons, including addresses, ages, and other identifying
17 information as specified by the secretary of state, who identify themselves as not being
18 citizens of the United States during their qualification to serve as a juror during the
19 preceding calendar month in that county.

20 4. Upon receipt of the lists described in subsection 3 of this section, the secretary
21 of state shall transmit the names of such persons whose names appear on the list of
22 electors to the appropriate election authority who shall remove all such names from the
23 voter registration list and shall mail a notice of such action and the reason therefor to
24 the last known address of such persons by first-class mail.

115.221. [~~Notwithstanding any other provisions of law to the contrary,~~]

2 1. Each election authority may [~~have~~] **inspect** the voting records [~~inspected and may~~]
3 **of all precincts in its jurisdiction.**

4 2. (1) Each election authority shall investigate the qualifications of any person who
5 has not [~~voted~~] **engaged in voter activity** or **has** transferred his **or her** registration within the
6 [~~four~~] **two** preceding calendar years.

7 (2) If an election authority determines that a registered voter has not engaged in
8 voter activity within the two preceding calendar years, the election authority shall
9 include such registered voter in any canvass conducted pursuant to section 115.181.

115.224. 1. Prior to the certification of the election results, the accuracy
2 certification team shall randomly select not less than fifteen percent of all election
3 precincts through the use of a random drawing, but not less than one precinct, in order
4 to conduct a manual recount by hand of selected contested races and ballot issues in the
5 selected precincts. Random selection of the precincts shall be open to any member of the
6 public, and the election authority shall notify the public of the time and place of the
7 selection process no later than forty-eight hours prior to the beginning of the selection
8 process by posting a notice in a prominent place, which is easily accessible to the public
9 and clearly designated for that purpose, at the principal office of the election authority.

10 2. Recount of the randomly selected precincts shall be conducted in the following
11 manner:

12 (1) The election authority shall select not less than one manual recount team
13 made up of no fewer than two people selected from lists provided by the chairs of the

14 two major political parties within the county, except when an election authority is a
15 board of election commissioners, the election authority may designate persons of its own
16 choosing. Each person so appointed shall have the qualifications of and take the oath of
17 office prescribed for election judges in section 115.091;

18 (2) For the selected precincts, the manual recount team shall unseal the
19 appropriate ballot containers and manually recount by hand certain randomly selected
20 contested races and ballot issues; and

21 (3) One contested race or ballot issue to be manually recounted by hand shall be
22 randomly selected from each of the following categories, where applicable:

23 (a) Presidential and vice-presidential electors, United States senate candidates,
24 and state-wide candidates;

25 (b) State-wide ballot issues;

26 (c) United States representative candidates and state general assembly
27 candidates;

28 (d) Partisan circuit and associate circuit judge candidates and all nonpartisan
29 judicial retention candidates;

30 (e) In addition to the candidates and issues previously listed, the manual recount
31 team shall select not less than one contested race or ballot issue from all political
32 subdivisions and special districts, including the county, in the selected precincts; and

33 (f) In addition to the candidates and issues previously listed, the manual recount
34 team shall select all races in which the margin of victory between the two top candidates
35 is equal to or less than one-half of one percent of the number of votes cast for the office
36 or issue.

37 3. If the results of the manual recount of the selected races and ballot issues
38 differ by more than one-half of one percent from the results of the electronically
39 tabulated vote results, the manual recount team shall immediately notify the election
40 authority, who shall investigate the causes of any discrepancy and resolve any
41 discrepancies prior to the date of certification set forth in section 115.507.

42 4. Upon completion of the manual recount, the manual recount team shall reseal
43 the ballots and other support materials in the appropriate containers. The results of the
44 manual recount shall be reported on certificates provided by the secretary of state. One
45 copy shall be filed with the secretary of state within four weeks of the election date and
46 one copy shall be filed with the public records of the election.

47 5. The secretary of state may make grant funds available to reimburse election
48 authorities for the cost of conducting manual recounts.

115.642. 1. ~~Any person may file a complaint with the secretary of state stating the
2 name of any person who has violated any of the provisions of sections 115.629 to 115.646 and~~

3 ~~stating the facts of the alleged offense, sworn to, under penalty of perjury.]~~ **There is hereby**
4 **created the "Office of Election Crimes and Security" within the office of the secretary of**
5 **state. The secretary of state shall employ a director and investigators within the office,**
6 **subject to appropriation. The office shall have the following duties:**

7 **(1) Responding to notifications and complaints alleging a violation of this**
8 **chapter;**

9 **(2) Reviewing notices and reports of alleged violations of this chapter and**
10 **conducting investigations as deemed necessary;**

11 **(3) Initiating independent inquiries and conducting investigations into alleged**
12 **violations of this chapter; and**

13 **(4) Overseeing a voter fraud hotline.**

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

26 **3. [Notwithstanding the provisions of section 27.060, 56.060, or 56.430 to the**
27 **contrary, when requested by the prosecuting attorney or circuit attorney, the secretary of state**
28 **or his or her authorized representatives may aid any prosecuting attorney or circuit attorney in**
29 **the commencement and prosecution of election offenses as provided in sections 115.629 to**
30 **115.646.**

31 **4. (1) The secretary of state may investigate any suspected violation of any of the**
32 **provisions of sections 115.629 to 115.646.**

33 ~~(2) (a) The secretary of state or an authorized representative of the secretary of state]~~

34 **(1) For the purposes of this section, the office** shall have the power to require the
35 production of books, papers, correspondence, memoranda, contracts, agreements, and other
36 records by subpoena or otherwise when necessary to conduct an investigation under this
37 section. ~~[Such powers shall be exercised only at the specific written direction of the secretary~~
38 ~~of state or his or her chief deputy.]~~ **Notwithstanding any other provision of law to the**
39 **contrary, investigators conducting an investigation into an alleged violation of this**

40 **chapter shall not be restricted from entering a polling place or the office of the election**
41 **authority under investigation.**

42 ~~[(b)]~~ (2) If any person refuses to comply with a subpoena issued under **subdivision**
43 **(1)** of this subsection, the secretary of state may seek to enforce the subpoena before a court
44 of competent jurisdiction to require the production of books, papers, correspondence,
45 memoranda, contracts, agreements, and other records. The court may issue an order requiring
46 the person to produce records relating to the matter under investigation or in question. Any
47 person who fails to comply with the order may be held in contempt of court.

48 ~~[(e) The provisions of this subdivision shall expire on August 28, 2025.]~~

49 **4. If, during the course of an investigation, the office determines that there may**
50 **be a violation of any criminal law or a provision of this chapter, the findings of the**
51 **investigation shall be submitted to the attorney general and the prosecuting or circuit**
52 **attorney with jurisdiction for further investigation or prosecution. This section shall not**
53 **limit the jurisdiction of any other office or agency of the state to investigate violations of**
54 **this chapter or any rule adopted under this chapter.**

55 **5. (1) Before January fifteenth of each year, the office shall submit a report to**
56 **the governor, the speaker of the house of representatives, the president pro tempore of**
57 **the senate, and the house of representatives and senate committees with jurisdiction**
58 **over elections that details each investigation of alleged violations of this chapter**
59 **conducted during the previous calendar year. The report shall include the following:**

60 (a) The total number of complaints received;
61 (b) The number of independent investigations initiated or dismissed; and
62 (c) The number of complaints referred to another agency for further
63 investigation or prosecution.

64 (2) For each complaint or investigation listed in subdivision (1) of this
65 subsection, the report shall detail:

66 (a) The source of the alleged violation;
67 (b) The law or rule allegedly violated and the nature of the alleged violation;
68 (c) The county in which the alleged violation occurred;
69 (d) Whether the alleged violation was dismissed or referred to another agency
70 for further investigation or prosecution and if so, to which agency; and
71 (e) The current status of the investigation or resulting criminal case.

72 **6. The attorney general shall have statewide investigative authority and shall**
73 **have concurrent authority with the appropriate prosecuting or circuit attorney over all**
74 **violations of the provisions of sections 115.629 to 115.646.**

115.1049. 1. Notwithstanding any provision of chapter 610 to the contrary, the
2 **following election records are public records subject to inspection and copying after**

3 certification of results and expiration of the time for filing a recount or election contest,
4 whichever is later:

5 (1) System audit logs, tabulator logs, adjudication logs, and chain of custody
6 logs;

7 (2) Ballot images produced by a certified tabulation device;

8 (3) Cast vote records (CVRs); and

9 (4) Ballot definition files, election configuration reports, media hash logs, and
10 exportable results reports.

11 2. An election authority shall not disclose any record under subsection 1 of this
12 section that can be reasonably linked to an individual voter including, but not limited to:

13 (1) Absentee or mail ballot envelopes, applications, or stubs bearing a voter's
14 name, address, identification number, barcode linked to the voter, or signatures;

15 (2) Any mapping, ordering, or index that reveals the sequence in which
16 individual voters cast ballots; or

17 (3) Ballot images or CVRs that contain unique marks or features that would
18 reasonably enable identification of a voter.

19 3. Records listed under subsection 2 of this section shall be released after the
20 election authority completes reasonable redactions, shuffling, or aggregation techniques
21 to prevent linking of records to individual voters. The election authority shall document
22 and disclose any steps taken under this subsection.

23 4. Records disclosed under this section shall be provided in a reasonably usable
24 electronic format, together with any standard vendor export specifications in the
25 election authority's possession. Election authorities may charge only the fees authorized
26 by chapter 610 for electronic records.

27 5. Nothing in this section requires the creation of records not otherwise
28 generated in the ordinary course of election administration and nothing authorizes the
29 connection of tabulation devices to any network in violation of section 115.013 or other
30 laws.

31 6. The secretary of state shall issue guidance establishing uniform procedures for
32 redaction and release of information consistent with this section.

115.1500. 1. As used in this section, the term "communications" means federal
2 directive or guidance communicated to the state of Missouri through telephonic or
3 electronic means, through the mail, or through in-person contact pertaining to elections,
4 including the times, places, and manner for carrying out elections in Missouri, received
5 on or after the effective date of this section, by any state agency or person, group, or
6 entity charged by the state to administer any official election occurring within the state.
7 This includes, but is not limited to, any guidance issued by the United States Department

8 of Justice or any other federal executive agency related to new or existing voting or
9 election laws or procedures.

10 2. Any state agency, whether that agency is involved in elections, or any person,
11 group, or entity charged by the state to administer any official election occurring within
12 the state, that receives or responds to a communication from the United States
13 Department of Justice or any other federal executive branch agency related to new or
14 existing voting or election laws, shall provide notice to the governor and general
15 assembly of this communication within five business days.

16 3. The notice requirement in subsection 2 of this section shall be presumed to
17 have been met based on the postmarked date on each letter sent to the governor and
18 general assembly, through certified mail, outlining the communication the agency,
19 person, group, or entity received from or responded to the United States Department of
20 Justice or any other federal executive agency.

115.1505. 1. As used in this section, the term "new federal election guidance"
2 means any federal directive or guidance pertaining to elections, including the times,
3 places, and manner for carrying out elections in Missouri received on or after the
4 effective date of this section, by a person, group, or entity charged by the state to
5 administer any official election occurring within Missouri. This includes, but is not
6 limited to, any guidance issued by the United States Department of Justice or any other
7 federal executive agency related to new or existing voting or election laws.

8 2. Any person, group, or entity charged by the state of Missouri to administer
9 any official election occurring within the state who intends to implement any new
10 federal election guidance pending approval from the general assembly pursuant to this
11 section shall provide notice to the general assembly of its intent to do so at least thirty
12 days before implementing the guidance.

13 3. All new federal election guidance shall be approved by concurrent resolution
14 approved by a majority of each house of the general assembly before it is implemented
15 by any person, group, or entity charged by the state to administer any official election
16 occurring within the state.

17 4. It shall be presumed for purposes of compliance with this section that the
18 general assembly has approved the implementation of the new federal election guidance
19 if the general assembly fails to vote on a concurrent resolution described in subsection 3
20 of this section within thirty days from when notice is provided to the general assembly
21 pursuant to subsection 2 of this section.

22 5. A violation of this section shall result in a fine in the amount of five thousand
23 dollars to be levied every thirty days until the implemented guidance is formally
24 withdrawn.

115.1510. 1. As used in this section, the term "new federal election funds" shall mean any federal funds received on or after the effective date of this section, by a person, group, or entity charged by the state of Missouri to administer any official election occurring within the state.

2. Any person, group, or entity charged by the state to administer any official election occurring within Missouri who intends to accept or disburse federal election funds pending approval from the general assembly pursuant to this section shall provide notice to the general assembly of its intent to do so at least thirty days before accepting the funds. If funds have already been accepted, notice shall be provided to the general assembly thirty days before the funds are disbursed.

3. All new federal election funds shall be approved by concurrent resolution approved by a majority of each house of the general assembly before such may be accepted or disbursed by a person, group, or entity charged by the state to administer any official election occurring within the state.

4. It shall be presumed for purposes of compliance with this section that the general assembly has approved the acceptance and disbursement of new federal election funds if the general assembly fails to vote on a concurrent resolution described in subsection 3 of this section within thirty days from when notice is provided to the general assembly in accordance with subsection 2 of this section.

5. A violation of this section shall result in a fine in the amount of the new federal election funds accepted or disbursed in violation of this section, plus an additional one thousand dollars.

115.1600. 1. For purposes of this section, the following terms mean:

(1) "Donation", a payment, gift, subscription, loan, advance, deposit, or anything of value given to a person without consideration;

(2) "Election administration", to participate in any way in the process of conducting and implementing an election. Election administration for the purposes of this section does not include post-election canvass, recount, contest, and audit processes;

(3) "Election officer", individuals who administer, implement, or oversee election-related policies, procedures, or technologies on behalf of any political subdivision or the secretary of state. Election officers include, but are not limited to, the secretary of state, any election authority, any member of a redistricting commission, or any of the aforementioned individual's agents, employees, representatives, or assigns;

(4) "Foreign donation", a donation provided by a foreign national;

(5) "Foreign national", any of the following:

(a) An individual who is not a citizen of the United States;

(b) A government, or subdivision, of a foreign country or municipality thereof;

16 (c) A foreign political party; or

17 (d) Any entity, such as a partnership, association, corporation, organization, or
18 other combination of persons, that is organized under the laws of or has its principal
19 place of business in a foreign country;

20 (6) "Government entity", a state, county, local, or municipal government entity,
21 or an officer, employee, or volunteer of one of these entities;

22 (7) "Person", an individual, partnership, association, corporation, organization,
23 or any other combination or group of individuals.

24 2. (1) A government entity shall not solicit, accept, or use any funds or in-kind
25 goods or services for election administration if those funds or in-kind goods or services
26 are donated directly or indirectly by any person other than a government entity. An
27 election officer may solicit, accept, or use funds or in-kind goods or services of de
28 minimis value.

29 (2) Subject to the exception in subsection 3 of this section, a government entity or
30 election officer shall not join the membership of any person, participate in any program,
31 or purchase any services from any person unless the person complies with the following
32 certification requirements:

33 (a) The certification shall state that the person:

34 a. Has not directly or indirectly financed election administration;

35 b. Does not have any staff or board members who have worked for, consulted
36 with, or been employed by a person described by this subdivision within the last ten
37 years unless such organization consisted of government officials; and

38 c. Has been certified as being free of direct or indirect foreign donations; and

39 (b) The certification required by paragraph (a) of this subdivision shall be:

40 a. Renewed on an annual basis;

41 b. Updated within five business days of the person obtaining information
42 unknown at the time of the initial certification as described in this subdivision; and

43 c. Dated and sworn by the person under penalty of perjury.

44 3. (1) If, in his or her private capacity, an election officer joins or considers
45 joining the membership of a person, or participates or considers participating in any
46 program described by subsection 2 of this section, the election officer shall disclose his
47 or her participation or membership, or potential participation or membership, and to
48 have participation or potential participation or membership considered in a public
49 hearing, and disclosed on his or her public website as provided by this section.

50 (2) The disclosure required by subdivision (1) of this subsection shall be:

51 (a) Conspicuous, publicly accessible, and publicly viewable;

52 **(b) At least 14-point Times New Roman font, and in a contrasting color from the**
53 **background of the website;**

54 **(c) Enclosed inside a box, separated from other text and graphics; and**

55 **(d) Displayed on the homepage of the election officer's website, reasonably close**
56 **to the top of the page.**

57 **(3) The disclosure required by subdivision (1) of this subsection shall state:**

58 **(a) The full name and title of the election officer;**

59 **(b) The date that the election officer participated in the program or joined the**
60 **person or participated in the program or is scheduled to begin participation in the**
61 **program;**

62 **(c) The full name of the program or person;**

63 **(d) An accurate description of the nature of the program or person;**

64 **(e) A certification that the person or program has not been, directly or**
65 **indirectly, the recipient of foreign donations, a statement that the person or program has**
66 **been the recipient of foreign donations, or a statement that the person or program has**
67 **not submitted such certification; and**

68 **(f) The date of any public hearing at which membership or participation in the**
69 **program is to be considered.**

70 **(4) The disclosure required by subdivision (1) of this subsection shall also**
71 **include a link to an electronic document containing all resources or documents received**
72 **by the election officer from the person or program, along with the disclosure of any**
73 **known funding for the program known to the officer. This list of resources shall be**
74 **updated within ten business days of receipt as resources, documents, and other**
75 **materials are provided or made available.**

76 **(5) If the election officer does not have a public website, the disclosure shall be**
77 **included on the official homepage of the website most closely associated with the election**
78 **officer, including that of his or her superior or supervisor. If no website or homepage**
79 **can be ascertained, the disclosure shall be submitted to the secretary of state for**
80 **inclusion on the secretary of state's website in a conspicuous manner.**

81 **(6) Any disclosure made pursuant to this subsection shall remain posted and**
82 **publicly accessible for a period beginning not less than thirty days prior to joining and**
83 **ending not less than one hundred eighty days after membership ends.**

84 **(7) In creating and posting any disclosure pursuant to this subsection, the**
85 **election officer is certifying under penalty of perjury that the information contained**
86 **within the disclosure is true and accurate.**

87 **4. Violation of this section is a class B misdemeanor. If conduct that constitutes**
88 **an offense under this section also constitutes an offense under any other law, the actor**
89 **may be prosecuted under this section, the other law, or both.**

90 **5. Any registered voter in this state may bring a cause of action to enforce this**
91 **section.**

92 **6. Any existing or future ordinance enacted or adopted by any political**
93 **subdivision that is in conflict with this section is void.**

116.030. The following shall be substantially the form of each page of referendum
2 petitions on any law passed by the general assembly of the state of Missouri:

3 County _____

4 Page No. _____

5 It is a class A misdemeanor punishable, notwithstanding the provisions
6 of section [~~560.024~~] **558.002**, RSMo, to the contrary, for a term of
7 imprisonment not to exceed one year in the county jail or a fine not to
8 exceed ten thousand dollars or both, for anyone to sign any referendum
9 petition with any name other than his or her own, or knowingly to sign
10 his or her name more than once for the same measure for the same
11 election, or to sign a petition when such person knows he or she is not a
12 registered voter.

13 PETITION FOR REFERENDUM

14 To the Honorable _____, Secretary of State for the state of Missouri:

15 We, the undersigned, registered voters of the state of Missouri and _____

16 _____ County (or City of St. Louis), respectfully order that the Senate (or

17 House) Bill No. _____ entitled (title of law), passed by the _____

18 general assembly of the state of Missouri, at the _____ regular (or

19 special) session of the _____ general assembly, shall be referred to the

20 voters of the state of Missouri, for their approval or rejection, at the

21 general election to be held on the _____ day of _____, _____,

22 unless the general assembly shall designate another date, and each for

23 himself or herself says: I have personally signed this petition; I am a

24 registered voter of the state of Missouri and _____ County (or City of

25 St. Louis); my registered voting address and the name of the city, town

26 or village in which I live are correctly written after my name.

27 (Official Ballot title) _____

28 CIRCULATOR'S AFFIDAVIT

29 State Of Missouri,

30 County Of _____

31 I, _____, being first duly sworn, say (print or type names of signers)

32 REGISTERED

33	DATE	VOTING	ZIP	CONGR.	
34	NAME	SIGNED	ADDRESS	CODE	DIST. NAME
35	(Signature)		(Street) (City,		(Printed or
36			Town or Village)		Typed)

37 (Here follow numbered lines for signers)

38 signed this page of the foregoing petition, and each of them signed his
39 or her name thereto in my presence; I believe that each has stated his or
40 her name, registered voting address and city, town or village correctly,
41 and that each signer is a registered voter of the state of Missouri and __

42 ____ County. FURTHERMORE, I HEREBY SWEAR OR AFFIRM
43 UNDER PENALTY OF PERJURY THAT ALL STATEMENTS
44 MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE
45 NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED
46 GUILTY TO ANY OFFENSE INVOLVING FORGERY.

47 I have met the qualifications of section 116.080 and am at least 18
48 years of age. I do _____ do not _____ (check one) expect to be paid
49 for circulating this petition. If paid, list the payer _____

50 _____
51 Signature of Affiant
52 (Person obtaining signatures)

53 _____
54 (Printed Name of Affiant)

55 _____
56 Address of Affiant

57 Subscribed and sworn to before me this _____ day of _____, A.D. _
58 _____

59 _____
60 Signature of Notary
61 Address of Notary

62 Notary Public (Seal)
63 My commission expires _____

64

65 If this form is followed substantially and the requirements of ~~[section]~~ sections 116.045,
66 116.050, and ~~[section]~~ 116.080 are met, it shall be sufficient, disregarding clerical and merely
67 technical errors.

116.040. The following shall be substantially the form of each page of each petition
2 for any law or amendment to the Constitution of the state of Missouri proposed by the
3 initiative:

4 County _____
5 (Optional) Page No. _____

6 It is a class A misdemeanor punishable, notwithstanding the provisions
7 of section ~~[560.021]~~ 558.002, RSMo, to the contrary, for a term of
8 imprisonment not to exceed one year in the county jail or a fine not to
9 exceed ten thousand dollars or both, for anyone to sign any initiative
10 petition with any name other than his or her own, or knowingly to sign
11 his or her name more than once for the same measure for the same
12 election, or to sign a petition when such person knows he or she is not a
13 registered voter.

14 INITIATIVE PETITION

15 To the Honorable _____, Secretary of State for the state of Missouri:
16 We, the undersigned, registered voters of the state of Missouri and ____
17 ____ County (or City of St. Louis), respectfully order that the following
18 proposed law (or amendment to the constitution) shall be submitted to
19 the voters of the state of Missouri, for their approval or rejection, at the
20 general election to be held on the _____ day of _____, _____, and
21 each for himself or herself says: I have personally signed this petition; I
22 am a registered voter of the state of Missouri and _____ County (or
23 City of St. Louis); my registered voting address and the name of the
24 city, town or village in which I live are correctly written after my name.

25 (Official Ballot title) _____

26 CIRCULATOR'S AFFIDAVIT

27 State Of Missouri,
28 County Of _____

29 I, _____, being first duly sworn, say (print or type names of signers)

30 REGISTERED

31		DATE	VOTING	ZIP	CONGR.	
32	NAME	SIGNED	ADDRESS	CODE	DIST.	NAME
33	(Signature)		(Street) (City,			(Printed or

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Town or
Village) Typed)

(Here follow numbered lines for signers)

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and ___ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I have met the qualifications of section 116.080 and am at least 18 years of age. I do _____ do not _____ (check one) expect to be paid for circulating this petition. If paid, list the payer _____

Signature of Affiant
(Person obtaining signatures)

(Printed Name of Affiant)

Address of Affiant

Subscribed and sworn to before me this _____ day of _____, A.D. _

Signature of Notary
Address of Notary

Notary Public (Seal)
My commission expires _____

65 If this form is followed substantially and the requirements of [section] sections 116.045,
66 116.050, and [section] 116.080 are met, it shall be sufficient, disregarding clerical and merely
67 technical errors.

2 **116.045. Initiative petition and referendum petition signature pages shall be printed on a form as prescribed by the secretary of state that shall include all of the**

3 **information and statements required by section 116.030 or 116.040, as applicable, and**
4 **comply with section 116.050. The form shall be made available in electronic format to**
5 **be used for printing petitions for circulating.**

116.050. 1. Initiative and referendum petitions filed under the provisions of this
2 chapter shall consist of pages of a uniform size. Each page, excluding the text of the measure,
3 shall be no larger than eight and one-half by fourteen inches. **The text of the proposed**
4 **measure shall be in a font that is not smaller than twelve-point Times New Roman and**
5 **have a top, bottom, left, and right margin of not less than one inch. Page numbers may**
6 **appear in the bottom margin.** Each page of an initiative petition shall be attached to or shall
7 contain a full and correct text of the proposed measure. Each page of a referendum petition
8 shall be attached to or shall contain a full and correct text of the measure on which the
9 referendum is sought.

10 2. The full and correct text of all initiative and referendum petition measures shall:

11 (1) Contain all matter which is to be deleted included in its proper place enclosed in
12 brackets and all new matter shown underlined;

13 (2) Include all sections of existing law or of the constitution which would be repealed
14 by the measure; and

15 (3) Otherwise conform to the provisions of [~~Article III, Section 28 and~~] Article III,
16 [~~Section~~] **Sections 28, 49, 50, 51, and 52(a)** of the Constitution of Missouri and those of this
17 chapter.

116.080. 1. Each petition circulator shall be **a citizen of the United States, [at least]**
2 **eighteen years of age or older, a resident of this state or physically present in this state for**
3 **at least thirty consecutive days prior to the collection of signatures,** and registered with
4 the secretary of state. **No petition circulator shall be paid anything of value that is based**
5 **on the number of signatures collected.** Signatures collected by any circulator who has not
6 registered with the secretary of state pursuant to this chapter on or before 5:00 p.m. on the
7 final day for filing petitions with the secretary of state shall not be counted. A petition
8 circulator shall be deemed registered at the time such circulator delivers a signed circulator's
9 affidavit pursuant to section 116.030, with respect to a referendum petition, or section
10 116.040, with respect to an initiative petition, to the office of the secretary of state. No person
11 shall qualify as a petition circulator who has been convicted of, found guilty of, or pled guilty
12 to an offense involving forgery under the laws of this state or an offense under the laws of any
13 other jurisdiction if that offense would be considered forgery under the laws of this state.

14 2. Each petition circulator shall subscribe and swear to the proper affidavit on each
15 petition page such circulator submits before a notary public commissioned in Missouri.
16 When notarizing a circulator's signature, a notary public shall sign his or her official signature

17 and affix his or her official seal to the affidavit only if the circulator personally appears before
18 the notary and subscribes and swears to the affidavit in his or her presence.

19 3. Any circulator who falsely swears to a circulator's affidavit knowing it to be false is
20 guilty of a class A misdemeanor punishable, notwithstanding the provisions of section
21 ~~[560.021]~~ **558.002** to the contrary, for a term of imprisonment not to exceed one year in the
22 county jail or a fine not to exceed ten thousand dollars or both.

116.090. 1. Any person who commits any of the following actions is guilty of the
2 crime of petition signature fraud:

3 (1) Signs any name other than his or her own to any petition, or who knowingly signs
4 his or her name more than once for the same measure for the same election, or who knows he
5 or she is not at the time of signing or circulating the same a Missouri registered voter and a
6 resident of this state; ~~[or]~~

7 (2) Intentionally submits petition signature sheets with the knowledge that the person
8 whose name appears on the signature sheet did not actually sign the petition; ~~[or]~~

9 (3) Causes a voter to sign a petition other than the one the voter intended to sign; ~~[or]~~

10 (4) Forges or falsifies signatures; or

11 (5) Knowingly accepts or offers money or anything of value to another person in
12 exchange for a signature on a petition.

13 2. Any person who knowingly causes a petition circulator's signatures to be submitted
14 for counting, and who either knows that such circulator has violated subsection 1 of this
15 section or, after receiving notice of facts indicating that such person may have violated
16 subsection 1 of this section, causes the signatures to be submitted with reckless indifference
17 as to whether such circulator has complied with subsection 1 of this section, shall also be
18 deemed to have committed the crime of petition signature fraud.

19 3. A person who violates subsection 1 or 2 of this section, shall, upon conviction
20 thereof, be guilty of a class A misdemeanor punishable, notwithstanding the provisions of
21 section ~~[560.021]~~ **558.002** to the contrary, by a term of imprisonment not to exceed one year
22 in the county jail or a fine not to exceed ten thousand dollars or both.

23 4. Any person employed by or serving as an election authority, that has reasonable
24 cause to suspect a person has committed petition signature fraud, shall immediately report or
25 cause a report to be made to the appropriate prosecuting authorities. Failure to so report or
26 cause a report to be made shall be a class A misdemeanor.

116.110. Any voter who has signed an initiative or referendum petition may withdraw
2 his or her signature from that petition by submitting to the secretary of state, before the
3 petition is filed with the secretary of state, a sworn statement requesting that his or her
4 signature be withdrawn and affirming the name of the petition signed, the name the voter used
5 when signing the petition, the address of the voter and the county of residence. It is a class A

6 misdemeanor punishable, notwithstanding the provisions of section [~~560.021~~] **558.002** to the
7 contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to
8 exceed ten thousand dollars or both, to knowingly file a false withdrawal statement with the
9 secretary of state.

116.130. 1. The secretary of state may send copies of petition pages to election
2 authorities to verify that the persons whose names are listed as signers to the petition are
3 registered voters. Such verification may either be of each signature or by random sampling as
4 provided in section 116.120, as the secretary shall direct. If copies of the petition pages are
5 sent to an election authority for verification, such copies shall be sent pursuant to the
6 following schedule:

7 (1) Copies of all pages from not less than one petition shall be received in the office
8 of the election authority not later than two weeks after the petition is filed in the office of **the**
9 secretary of state;

10 (2) Copies of all pages of a total of three petitions shall be received in the office of the
11 election authority not later than three weeks after the petition is filed in the office of the
12 secretary of state;

13 (3) If more than three petitions are filed, all copies of petition pages, including those
14 petitions selected for verification by random sample pursuant to section 116.120, shall be
15 received in the office of the election authority not later than the fourth week after the petition
16 is filed in the office of the secretary of state.

17
18 Each election authority shall check the signatures against voter registration records in the
19 election authority's jurisdiction, but the election authority shall count as valid only the
20 signatures of persons registered as voters in the county named in the circulator's affidavit.
21 Signatures shall not be counted as valid if they have been struck through or crossed out.
22 **Signatures shall be recorded using a black or dark ink.**

23 2. If the election authority is requested to verify the petition by random sampling,
24 such verification shall be completed and certified not later than thirty days from the date that
25 the election authority receives the petition from the secretary of state. If the election authority
26 is to verify each signature, such verification [~~must~~] **shall** be completed, certified and
27 delivered to the secretary of state by 5:00 p.m. on the last Tuesday in July prior to the
28 election, or in the event of complete verification of signatures after a failed random sample,
29 full verification shall be completed, certified and delivered to the secretary of state by 5:00
30 p.m. on the last Tuesday in July or by 5:00 p.m. on the Friday of the fifth week after receipt
31 of the signatures by the local election authority, whichever is later.

32 3. If the election authority or the secretary of state determines that the congressional
33 district number written after the signature of any voter is not the congressional district of

34 which the voter is a resident, the election authority or the secretary of state shall correct the
 35 congressional district number on the petition page. Failure of a voter to give the voter's
 36 correct congressional district number shall not by itself be grounds for not counting the voter's
 37 signature.

38 4. The election authority shall return the copies of the petition pages to the secretary
 39 of state with annotations regarding any invalid or questionable signatures which the election
 40 authority has been asked to check by the secretary of state. The election authority shall verify
 41 the number of pages received for that county, and also certify the total number of valid
 42 signatures of voters from each congressional district which the election authority has been
 43 asked to check by the secretary of state.

44 5. The secretary of state is authorized to adopt rules to ensure uniform, complete, and
 45 accurate checking of petition signatures either by actual count or random sampling. No rule
 46 or portion of a rule promulgated pursuant to this section shall become effective unless it has
 47 been promulgated pursuant to the provisions of chapter 536.

48 6. After a period of three years from the time of submission of the petitions to the
 49 secretary of state, the secretary of state, if the secretary determines that retention of such
 50 petitions is no longer necessary, may destroy such petitions.

2 ~~[116.190. 1. Any citizen who wishes to challenge the official ballot~~
 3 ~~title or the fiscal note prepared for a proposed constitutional amendment~~
 4 ~~submitted by the general assembly, by initiative petition, or by constitutional~~
 5 ~~convention, or for a statutory initiative or referendum measure, may bring an~~
 6 ~~action in the circuit court of Cole County. The action shall be brought within~~
 7 ~~ten days after the official ballot title is certified by the secretary of state in~~
 8 ~~accordance with the provisions of this chapter, in the case of an initiative~~
 9 ~~petition and not later than the twenty-second Tuesday prior to the general~~
 10 ~~election at which the ballot measure will be submitted to the voters, in the case~~
 11 ~~of all other statewide ballot measures.~~

12 ~~2. The secretary of state shall be named as a party defendant in any~~
 13 ~~action challenging the official ballot title prepared by the secretary of state.~~
 14 ~~When the action challenges the fiscal note or the fiscal note summary prepared~~
 15 ~~by the auditor, the state auditor shall also be named as a party defendant. The~~
 16 ~~president pro tem of the senate, the speaker of the house and the sponsor of the~~
 17 ~~measure and the secretary of state shall be the named party defendants in any~~
 18 ~~action challenging the official summary statement, fiscal note or fiscal note~~
 19 ~~summary prepared pursuant to section 116.155.~~

20 ~~3. The petition shall state the reason or reasons why the summary~~
 21 ~~statement portion of the official ballot title is insufficient or unfair.~~
 22 ~~Alternatively, the petition shall state the reasons why the fiscal note or the~~
 23 ~~fiscal note summary portion of the official ballot title is insufficient or unfair~~
 24 ~~and shall request a different fiscal note or fiscal note summary portion of the~~
 25 ~~official ballot title.~~

~~4. (1) The action shall be placed at the top of the civil docket.~~

26 (2) (a) ~~Insofar as the action challenges the summary statement portion~~
27 ~~of the official ballot title, the court shall consider the petition, hear arguments,~~
28 ~~and in its decision certify the summary statement portion of the official ballot~~
29 ~~title to the secretary of state as originally written if the court finds the summary~~
30 ~~statement to be sufficient and fair. If the court finds the summary statement to~~
31 ~~be insufficient or unfair, the court may offer suggested revisions for the~~
32 ~~summary statement to remedy the legal flaws, but it shall, in its decision, order~~
33 ~~the secretary of state to write a first revised summary statement that is~~
34 ~~sufficient and fair.~~

35 (b) ~~The secretary of state shall submit a first revised summary~~
36 ~~statement to the court within seven days. If, after submission to the court of a~~
37 ~~first revised summary statement by the secretary of state, the court finds the~~
38 ~~first revised summary statement to be sufficient and fair, the court shall certify~~
39 ~~to the secretary of state that statement and order it to appear on the ballot. If~~
40 ~~the court finds the first revised summary statement to be insufficient or unfair,~~
41 ~~the court may offer suggested revisions for the statement to remedy the legal~~
42 ~~flaws, but it shall, in its decision, order the secretary of state to write a second~~
43 ~~revised summary statement that is sufficient and fair.~~

44 (c) ~~The secretary of state shall submit a second revised summary~~
45 ~~statement to the court within five days. If, after submission to the court of a~~
46 ~~second revised summary statement by the secretary of state, the court finds the~~
47 ~~second revised summary statement to be sufficient and fair, the court shall~~
48 ~~certify to the secretary of state that statement and order it to appear on the~~
49 ~~ballot. If the court finds the second revised summary statement to be~~
50 ~~insufficient or unfair, the court may offer suggested revisions for the statement~~
51 ~~to remedy the legal flaws, but it shall, in its decision, order the secretary of~~
52 ~~state to write a third revised summary statement that is sufficient and fair.~~

53 (d) ~~The secretary of state shall submit a third revised summary~~
54 ~~statement to the court within three days. If, after submission to the court of a~~
55 ~~third revised summary statement by the secretary of state, the court finds the~~
56 ~~third revised summary statement to be sufficient and fair, the court shall certify~~
57 ~~to the secretary of state that statement and order it to appear on the ballot. If~~
58 ~~the court finds the third revised summary statement to be insufficient or unfair,~~
59 ~~or if the secretary of state neglects or refuses to submit any of the revised~~
60 ~~summary statements within the times mandated by this subdivision when so~~
61 ~~ordered, the court shall revise the summary statement in a manner that is~~
62 ~~sufficient and fair and order the secretary of state to place that summary~~
63 ~~statement on the ballot with the measure.~~

64 (e) ~~During all revisions as provided in this subdivision, the case shall~~
65 ~~remain open.~~

66 (f) ~~Any nonprevailing party may make appeals as provided by law~~
67 ~~only following:~~

68 a. ~~The finding of the circuit court that a summary statement was~~
69 ~~sufficient and fair; or~~

70 b. ~~The circuit court ordering its own summary statement to be placed~~
71 ~~on the ballot pursuant to paragraph (d) of this subdivision.~~

72 (g) ~~Any action brought pursuant to this section challenging a statewide~~
73 ~~ballot measure appearing on the ballot at an election called by the governor~~

74 ~~pursuant to Article XII, Section 2(b), Missouri Constitution, whether at the~~
 75 ~~primary election or at a special election, or at a special election for a~~
 76 ~~referendum petition measure called by the general assembly pursuant to~~
 77 ~~Article III, Section 52(b), Missouri Constitution, shall be expedited by the~~
 78 ~~court to bring a resolution of the matter prior to the printing of ballots. The~~
 79 ~~court may shorten any timeframe under this section to achieve this purpose.~~

80 ~~(3) Insofar as the action challenges the fiscal note or the fiscal note~~
 81 ~~summary portion of the official ballot title, the court shall consider the~~
 82 ~~petition, hear arguments, and in its decision, either certify the fiscal note or the~~
 83 ~~fiscal note summary portion of the official ballot title to the secretary of state~~
 84 ~~or remand the fiscal note or the fiscal note summary to the auditor for~~
 85 ~~preparation of a new fiscal note or fiscal note summary pursuant to the~~
 86 ~~procedures set forth in section 116.175. Any party to the suit may appeal to~~
 87 ~~the supreme court within ten days after a circuit court decision pursuant to this~~
 88 ~~subdivision.~~

89 ~~5. Any action brought under this section that is not fully and finally~~
 90 ~~adjudicated within one hundred eighty days of filing, and more than seventy~~
 91 ~~days prior to election in which the measure is to appear, including all appeals,~~
 92 ~~shall be extinguished, unless a court extends such period upon a finding of~~
 93 ~~good cause for such extension. Such good cause shall consist only of court-~~
 94 ~~related scheduling issues and shall not include requests for continuance by the~~
 95 ~~parties.]~~

116.190. 1. Any ~~[citizen]~~ **Missouri registered voter** who wishes to challenge the
 2 official ballot title or the fiscal note prepared for a proposed constitutional amendment
 3 submitted by the general assembly, by initiative petition, or by constitutional convention, or
 4 for a statutory initiative or referendum measure, may bring an action in the circuit court of
 5 Cole County. The action ~~[must]~~ **shall** be brought within ten days after the official ballot title
 6 is certified by the secretary of state in accordance with the provisions of this chapter, **in the**
 7 **case of an initiative petition and not later than the twenty-second Tuesday prior to the**
 8 **general election at which the ballot measure will be submitted to the voters, in the case**
 9 **of all other statewide ballot measures.**

10 2. The secretary of state shall be named as a party defendant in any action challenging
 11 the official ballot title prepared by the secretary of state. When the action challenges the
 12 fiscal note or the fiscal note summary prepared by the auditor, the state auditor shall also be
 13 named as a party defendant. The president pro tem of the senate, the speaker of the house and
 14 the sponsor of the measure and the secretary of state shall be the named party defendants in
 15 any action challenging the official summary statement, fiscal note or fiscal note summary
 16 prepared pursuant to section 116.155.

17 3. The petition shall state the reason or reasons why the summary statement portion of
 18 the official ballot title is insufficient or unfair and shall request a different summary statement
 19 portion of the official ballot title. Alternatively, the petition shall state the reasons why the

20 fiscal note or the fiscal note summary portion of the official ballot title is insufficient or unfair
 21 and shall request a different fiscal note or fiscal note summary portion of the official ballot
 22 title.

23 4. The action shall be placed at the top of the civil docket. Insofar as the action
 24 challenges the summary statement portion of the official ballot title, the court shall consider
 25 the petition, hear arguments, and in its decision certify the summary statement portion of the
 26 official ballot title to the secretary of state. Insofar as the action challenges the fiscal note or
 27 the fiscal note summary portion of the official ballot title, the court shall consider the petition,
 28 hear arguments, and in its decision, either certify the fiscal note or the fiscal note summary
 29 portion of the official ballot title to the secretary of state or remand the fiscal note or the fiscal
 30 note summary to the auditor for preparation of a new fiscal note or fiscal note summary
 31 pursuant to the procedures set forth in section 116.175. Any party to the suit may appeal to
 32 the supreme court within ten days after a circuit court decision. In making the legal notice to
 33 election authorities under section 116.240, and for the purposes of section 116.180, the
 34 secretary of state shall certify the language which the court certifies to him.

35 5. Any action brought under this section that is not fully and finally adjudicated
 36 within one hundred eighty days of filing, and more than ~~[fifty-six]~~ **seventy** days prior to **the**
 37 election in which the measure is to appear, including all appeals, shall be extinguished, unless
 38 a court, **before the expiration of the foregoing periods**, extends such period upon ~~[a]~~ **an**
 39 **express** finding of good cause for such extension, **but no extension shall cause the final**
 40 **adjudication to occur less than eight weeks before the date of the election.** Such good
 41 cause shall consist only of court-related scheduling issues and shall not include requests for
 42 continuance by the parties. **No court, including any appellate court, shall have the**
 43 **authority to issue any form of relief after the expiration of the foregoing periods.**

116.200. 1. After the secretary of state certifies a petition as sufficient or insufficient,
 2 any ~~[citizen]~~ **Missouri registered voter** may apply to the circuit court of Cole County to
 3 compel ~~[him]~~ **the secretary of state** to reverse his **or her** decision. The action must be
 4 brought within ten days after the certification is made. All such suits shall be advanced on the
 5 court docket and heard and decided by the court as quickly as possible.

6 2. If the court decides the petition is sufficient, the secretary of state shall certify it as
 7 sufficient and attach a copy of the judgment. If the court decides the petition is insufficient,
 8 the court shall enjoin the secretary of state from certifying the measure and all other officers
 9 from printing the measure on the ballot.

10 3. **Any party may appeal** within ten days after ~~[a decision is rendered, any party may~~
 11 ~~appeal it to the supreme court]~~ **the entry of the judgment by the circuit court.**

116.332. 1. Before a constitutional amendment petition, a statutory initiative petition,
 2 or a referendum petition may be circulated for signatures, a sample sheet ~~[must]~~ **shall** be

3 submitted to the secretary of state in the form in which it will be circulated. **Sample sheets**
4 **may be submitted to the secretary of state any time after a general election until six**
5 **months prior to the next general election.** When a person submits a sample sheet of a
6 petition he or she shall designate to the secretary of state the name and address of the person
7 to whom any notices shall be sent pursuant to sections 116.140 and 116.180 and, if a
8 committee or person, except the individual submitting the sample sheet, is funding any
9 portion of the drafting or submitting of the sample sheet, the person submitting the sample
10 sheet shall submit a copy of the filed statement of committee organization required under
11 subsection 5 of section 130.021 showing the date the statement was filed. The secretary of
12 state shall refer a copy of the petition sheet to the attorney general for his approval and to the
13 state auditor for purposes of preparing a fiscal note and fiscal note summary. The secretary of
14 state and attorney general ~~[must]~~ **shall** each review the petition for ~~[sufficiency as to form]~~
15 **compliance with section 116.050 and Article III, Sections 28, 49, 50, 51, and 52(a) of the**
16 **Constitution of Missouri** and approve or reject the form of the petition, stating the reasons
17 for rejection, if any.

18 2. Within two business days of receipt of any such sample sheet, the office of the
19 secretary of state shall conspicuously post on its website the text of the proposed measure, a
20 disclaimer stating that such text may not constitute the full and correct text as required under
21 section 116.050, and the name of the person or organization submitting the sample sheet. The
22 secretary of state's failure to comply with such posting shall be considered a violation of
23 chapter 610 and subject to the penalties provided under subsection 3 of section 610.027. The
24 posting shall be removed within three days of either the withdrawal of the petition under
25 section 116.115 or the rejection for any reason of the petition.

26 3. Upon receipt of a petition from the office of the secretary of state, the attorney
27 general shall examine the petition ~~[as to form]~~ **and determine whether it complies with**
28 **section 116.050 and Article III, Sections 28, 49, 50, 51, and 52(a) of the Constitution of**
29 **Missouri.** If the petition is rejected ~~[as to form]~~, the attorney general shall forward his or her
30 comments to the secretary of state within ten days after receipt of the petition by the attorney
31 general. If the petition is approved ~~[as to form]~~, the attorney general shall forward his or her
32 approval ~~[as to form]~~ to the secretary of state within ten days after receipt of the petition by
33 the attorney general.

34 4. The secretary of state shall review the comments and statements of the attorney
35 general ~~[as to form]~~ and make a final decision as to the approval or rejection ~~[of the form]~~ of
36 the petition. The secretary of state shall send written notice to the person who submitted the
37 petition sheet of the approval within fifteen days after submission of the petition sheet. The
38 secretary of state shall send written notice if the petition has been rejected, together with
39 reasons for rejection, within fifteen days after submission of the petition sheet.

2 ~~[116.334. 1. If the petition form is approved, the secretary of state~~
 3 ~~shall make a copy of the sample petition available on the secretary of state's~~
 4 ~~website. For a period of fifteen days after the petition is approved as to form,~~
 5 ~~the secretary of state shall accept public comments regarding the proposed~~
 6 ~~measure and provide copies of such comments upon request. Within twenty-~~
 7 ~~three days of receipt of such approval, the secretary of state shall prepare and~~
 8 ~~transmit to the attorney general a summary statement of the measure which~~
 9 ~~shall be a concise statement not exceeding one hundred words. This statement~~
 10 ~~shall be in the form of a question using language neither intentionally~~
 11 ~~argumentative nor likely to create prejudice either for or against the proposed~~
 12 ~~measure. The attorney general shall within ten days approve the legal content~~
 13 ~~and form of the proposed statement.~~

14 ~~2. Signatures obtained prior to the date the official ballot title is~~
 15 ~~certified by the secretary of state shall not be counted. Once the secretary of~~
 16 ~~state certifies the official ballot title, signatures may be collected, even if the~~
 17 ~~ballot title is subject to an action in court challenging the sufficiency and~~
 18 ~~fairness of the ballot title. If a court orders a change that alters the content of~~
 19 ~~the official ballot title, then all signatures gathered before such change~~
 20 ~~occurred shall not be invalidated based upon the fact that one or more~~
 21 ~~signatures were gathered prior to the alteration of the official ballot title,~~
 22 ~~regardless of whether those signatures were gathered on petition pages that~~
 23 ~~displayed what was previously the official ballot title as certified by the~~
 24 ~~secretary of state. Nothing in this subsection shall prohibit the invalidation of a~~
 25 ~~signature for a reason otherwise allowed by this chapter.~~

26 ~~3. Signatures for statutory initiative petitions shall be filed not later~~
 27 ~~than six months prior to the general election during which the petition's ballot~~
 28 ~~measure is submitted for a vote, and shall also be collected not earlier than the~~
~~day after the day upon which the previous general election was held.]~~

116.334. 1. If the petition [~~form~~] is approved **under section 116.332**, the secretary of
 2 state shall make a copy of the sample petition available on the secretary of state's website.
 3 For a period of fifteen days after the petition is approved [~~as to form~~] **under section 116.332**,
 4 the secretary of state shall accept public comments regarding the proposed measure and
 5 provide copies of such comments upon request. Within twenty-three days of receipt of such
 6 approval, the secretary of state shall prepare and transmit to the attorney general a summary
 7 statement of the measure which shall be a concise statement not exceeding one hundred
 8 words. This statement shall [~~be in the form of a question using~~] **use** language neither
 9 intentionally argumentative nor likely to create prejudice either for or against the proposed
 10 measure. The attorney general shall within ten days approve the legal content and form of the
 11 proposed statement.

12 2. Signatures obtained prior to the date the official ballot title is certified by the
 13 secretary of state shall not be counted. **Once the secretary of state certifies the official**
 14 **ballot title, signatures may be collected, even if the ballot title is subject to an action in**
 15 **court challenging the sufficiency and fairness of the ballot title. If a court orders a**

16 **change that alters the content of the official ballot title, then all signatures gathered**
 17 **before such change occurred shall not be invalidated based upon the fact that one or**
 18 **more signatures were gathered prior to the alteration of the official ballot title,**
 19 **regardless of whether those signatures were gathered on petition pages that displayed**
 20 **what was previously the official ballot title as certified by the secretary of state. Nothing**
 21 **in this subsection shall prohibit the invalidation of a signature for a reason otherwise**
 22 **allowed by this chapter.**

23 3. Signatures for statutory initiative petitions shall be filed not later than six months
 24 prior to the general election during which the petition's ballot measure is submitted for a vote,
 25 and shall also be collected not earlier than the day after the day upon which the previous
 26 general election was held.

2 ~~[115.074. 1. Subject to appropriation from federal funds, the secretary~~
 3 ~~of state shall administer a grant, loan, or other aid program for the purposes of~~
 4 ~~providing funds to election authorities to upgrade or improve the voting~~
 5 ~~process or equipment. Such funding may be in the form of matching grants.~~
 6 ~~The secretary of state when awarding grants shall give priority to jurisdictions~~
 7 ~~which have the highest number of residents according to the most recent~~
 8 ~~federal census, with an income below the federal poverty level as established~~
 9 ~~by the federal department of health and human services or its successor~~
 10 ~~agency. The secretary of state may promulgate rules to effectuate the~~
 11 ~~provisions of this section.~~

12 ~~2. Any rule or portion of a rule, as that term is defined in section~~
 13 ~~536.010, that is created under the authority delegated in this section shall~~
 14 ~~become effective only if it complies with and is subject to all of the provisions~~
 15 ~~of chapter 536 and, if applicable, section 536.028. This section and chapter~~
 16 ~~536 are nonseverable and if any of the powers vested with the general~~
 17 ~~assembly pursuant to chapter 536 to review, to delay the effective date or to~~
 18 ~~disapprove and annul a rule are subsequently held unconstitutional, then the~~
 19 ~~grant of rulemaking authority and any rule proposed or adopted after August~~
 20 ~~28, 2002, shall be invalid and void.]~~

2 ~~[115.078. 1. There is hereby created in the state treasury the "Election~~
 3 ~~Administration Improvements Fund", which shall consist of appropriations~~
 4 ~~from the general assembly, any gifts, contributions, grants, or bequests~~
 5 ~~received from federal, private, or other sources for the purpose of improving~~
 6 ~~the administration of elections within Missouri, including making payments of~~
 7 ~~election costs as required under sections 115.065 and 115.077. The state~~
 8 ~~treasurer shall be custodian of the fund and shall make disbursements from the~~
 9 ~~fund in accordance with sections 30.170 and 30.180. Money in the fund shall~~
 10 ~~be used exclusively for election administration improvements as directed by~~
 11 ~~the secretary of state, and to meet the state's obligations under sections 115.065~~
 12 ~~and 115.077. No moneys obtained through the provisions of this section shall~~
 13 ~~be made a part of the general operating budget of an election authority, or used~~
 14 ~~to supplant other federal, state, or local funds expended for elections. The~~

14 ~~secretary of state may transfer moneys from the fund to the election~~
 15 ~~improvements revolving loan fund as the secretary deems necessary to~~
 16 ~~facilitate compliance with the Help America Vote Act of 2002.~~
 17 ~~Notwithstanding section 33.080 to the contrary, any moneys remaining in~~
 18 ~~the fund at the end of any biennium shall not revert to the credit of the general~~
 19 ~~revenue fund. All yield, interest, income, increment, or gain received from~~
 20 ~~time deposit of moneys in the state treasury to the credit of the fund shall be~~
 21 ~~credited to the fund. Notwithstanding any provision of law to the contrary, no~~
 22 ~~amount of moneys in the fund shall be transferred from the fund or charged for~~
 23 ~~purposes of the administration of central services for the state of Missouri.~~

24 2. ~~There is hereby created in the state treasury the "Election~~
 25 ~~Improvements Revolving Loan Fund", which shall consist of all moneys~~
 26 ~~appropriated to it by the general assembly, all repayment of moneys from~~
 27 ~~eligible lenders and any moneys deposited or transferred to the fund for the~~
 28 ~~purpose of improving the administration of elections through loans. The state~~
 29 ~~treasurer shall be custodian of the fund and shall make disbursements from the~~
 30 ~~fund in accordance with sections 30.170 and 30.180. Money in the fund shall~~
 31 ~~be used solely for improving the administration of elections through loans.~~
 32 ~~Notwithstanding section 33.080 to the contrary, any moneys remaining in the~~
 33 ~~fund shall not revert to the credit of the general revenue fund. All yield,~~
 34 ~~interest, income, increment, or gain received from time deposit of moneys in~~
 35 ~~the state treasury to the credit of the fund shall be credited to the fund.~~
 36 ~~Notwithstanding any provision of law to the contrary, no amount of moneys in~~
 37 ~~the fund shall be transferred from the fund or charged for purposes of the~~
 38 ~~administration of central services for the state of Missouri. The secretary of~~
 39 ~~state is authorized to administer the fund in accordance with this section and~~
 40 ~~the Help America Vote Act of 2002, and to promulgate rules to execute this~~
 41 ~~section. No rule or portion of a rule promulgated pursuant to the authority of~~
 42 ~~this section shall become effective unless it has been promulgated pursuant to~~
 43 ~~chapter 536.]~~

2 ~~[115.111. If any watcher or challenger interferes with the orderly~~
 3 ~~process of voting, or is guilty of misconduct or any law violation, the election~~
 4 ~~judges shall ask the watcher or challenger to leave the polling place or cease~~
 5 ~~the interference. If the interference continues, the election judges shall notify~~
 6 ~~the election authority, which shall take such action as it deems necessary. It~~
 7 ~~shall be the duty of the police, if requested by the election authority or judges~~
 8 ~~of election, to exclude any watcher or challenger from the polling place or the~~
 9 ~~place where votes are being counted. If any challenger is excluded, another~~
~~may be substituted by the designating committee chairman.]~~

2 Section B. The repeal of sections 115.074 and 115.078 of this act; the repeal and
 3 reenactment of sections 115.013, 115.179, 115.181, 115.221, and 115.642 of this act; and the
 4 enactment of sections 115.220, 115.1500, 115.1505, and 115.1510 of this act shall become
 5 effective on January 1, 2027.

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