

SECOND REGULAR SESSION

HOUSE BILL NO. 1670

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HOLT, LUETKENHAUS (Co-sponsors),
BEARDEN AND BOUCHER.

Read 1st time January 28, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3389L.01I

AN ACT

To repeal sections 115.157, 115.158, and 115.163, RSMo, and to enact in lieu thereof three new sections relating to voter information lists.

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

Section A. Sections 115.157, 115.158, and 115.163, RSMo, are repealed and three new
2 sections enacted in lieu thereof, to be known as sections 115.157, 115.158, and 115.163, to read
3 as follows:

115.157. The election authority may place all information on any registration cards in
2 computerized form in accordance with subsection 2 of section 115.158. No election authority
3 or secretary of state shall furnish to any member of the public electronic media or printout
4 showing any registration information, except as provided in this section. The election authority
5 or secretary of state shall make available electronic media or printouts showing unique voter
6 identification numbers, voters' names, [dates of birth,] addresses, townships or wards, and
7 precincts. Electronic data shall be maintained in at least the following separate fields:

- 8 (1) Voter identification number;
- 9 (2) First name;
- 10 (3) Middle initial;
- 11 (4) Last name;
- 12 (5) Suffix;
- 13 (6) Street number;
- 14 (7) Street direction;
- 15 (8) Street name;

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

- 16 (9) Street suffix;
- 17 (10) Apartment number;
- 18 (11) City;
- 19 (12) State;
- 20 (13) Zip code;
- 21 (14) Township;
- 22 (15) Ward;
- 23 (16) Precinct;
- 24 (17) Senatorial district;
- 25 (18) Representative district;
- 26 (19) Congressional district.

27

28 All election authorities shall enter voter history in their computerized registration systems and
29 shall, not more than six months after the election, forward such data to the centralized voter
30 registration system established in section 115.158. The election authority shall also furnish, for
31 a fee, electronic media or a printout showing the names[, dates of birth] and addresses of voters,
32 or any part thereof, within the jurisdiction of the election authority who voted in any specific
33 election, including primary elections, by township, ward or precinct, provided that nothing in this
34 chapter shall require such voter information to be released to the public over the Internet. The
35 amount of fees charged for information provided in this section shall be established pursuant to
36 chapter 610, RSMo. All revenues collected by the secretary of state pursuant to this section shall
37 be deposited in the state treasury and credited to the secretary of state's technology trust fund
38 account established pursuant to section 28.160, RSMo. In even-numbered years, each election
39 authority shall, upon request, supply the voter registration list **without each voter's date of**
40 **birth** for its jurisdiction to all candidates and party committees for a charge established pursuant
41 to chapter 610, RSMo. All election authorities shall make the information described in this
42 section, **except for each voter's date of birth**, available pursuant to chapter 610, RSMo. Any
43 election authority who fails to comply with the requirements of this section shall be subject to
44 the provisions of chapter 610, RSMo.

115.158. 1. On or before July 1, 1996, the secretary of state may begin to procure and
2 develop an electronic data processing system and programs capable of maintaining a centralized
3 database of all registered voters in the state. This system shall be known as the "Centralized
4 Voter Registration System". In addition to maintaining a centralized voter registration database,
5 the election authorities and secretary of state may use the system for the collection and
6 dissemination of election results and other pertinent information. Any information contained in
7 any state or local voter registration system, limited to the master voter registration list or any

8 other list generated from the information, subject to chapter 610, RSMo, shall not be used for
9 commercial purposes; provided, however, that the information can be used for elections, for
10 candidates, or for ballot measures, furnished at a reasonable fee. **No information used for
11 elections, for candidates, or for ballot measures pursuant to this section shall contain any
12 voter's date of birth.** Violation of this section shall be a class B misdemeanor.

13 2. The secretary of state may adopt rules and regulations necessary to administer the
14 system required in subsection 1 of this section. The rules and regulations must at least:

15 (1) Provide for voters to submit their registration to those offices and agencies authorized
16 in this chapter and the National Voter Registration Act of 1993;

17 (2) Provide for the establishment and maintenance of a centralized database for all voter
18 registration information;

19 (3) Provide procedures for entering data into the centralized database;

20 (4) Provide for the interaction with other state agencies and departments to facilitate
21 voter registration;

22 (5) Allow election authorities and the secretary of state to add, modify, and delete
23 information from the system to provide for accurate and up-to-date information;

24 (6) Allow election authorities and the secretary of state access to the centralized database
25 for review and search capabilities;

26 (7) Provide security and protection of all information in the centralized database and
27 monitor the centralized database to ensure unauthorized entry is not allowed;

28 (8) Provide a system for each election authority to identify the precinct to which a voter
29 should be assigned for voting purposes;

30 (9) Provide a procedure for phasing in or converting existing manual and computerized
31 voter registration systems to the centralized voter registration system; and

32 (10) Provide a procedure for transferring data from election authorities' existing
33 computerized voter registration systems located in first class counties to the centralized voter
34 registration system.

35 3. The secretary of state shall be responsible for the implementation and maintenance
36 of the centralized voter registration system.

37 4. The secretary of state shall by rule and regulation establish an advisory committee to
38 assist in the establishment and maintenance of a centralized voter registration system.

39 5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
40 is created under the authority delegated in this section shall become effective only if it complies
41 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section
42 536.028, RSMo. All rulemaking authority delegated prior to August 28, 1999, is of no force and
43 effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity

44 of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable
45 provisions of law. This section and chapter 536, RSMo, are nonseverable and if any of the
46 powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the
47 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the
48 grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be
49 invalid and void.

115.163. 1. Each election authority shall arrange one set of registration cards into
2 permanent binders for each precinct, or it may authorize the creation of computerized lists for
3 each precinct. The computerized lists or binder shall be arranged alphabetically or by street
4 address as the election authority determines and shall be known as the "precinct register". At
5 least one set of registration cards shall be arranged in a central file in such a manner as the
6 election authority determines, and shall be known as the "headquarters register". The election
7 authority shall be the custodian of the registration records, and no cards or records shall be
8 removed or handled except at its direction and under its supervision. The precinct registers shall
9 be kept by the election authority in a secure place, except when given to election judges for use
10 at an election. All registration records shall be open to inspection by the public at all reasonable
11 times.

12 2. In counties using computer printouts as precinct registers, a new computer printout
13 shall be printed prior to each election.

14 3. In those counties using computer printouts as precinct registers, the election authority
15 shall send to each voter a voter identification card not less than ninety days prior to the primary
16 election in each year in which a primary and general election will be held, unless the voter has
17 received such a card during the preceding six months. The voter identification card shall contain
18 the voter's name, address, precinct and a signature line. The card may also contain other voting
19 information at the discretion of the election authority. The voter shall be instructed to sign the
20 card for use as identification at the polls. The voter identification card shall be sent to a voter
21 after a new registration or a change of address. If any voter shall lose his voter identification
22 card he may request a new one from the election authority. The voter identification card
23 authorized pursuant to this section may be used as a canvass of voters in lieu of the provisions
24 set out in sections 115.179 to 115.193. Anyone, upon request and payment of a reasonable fee,
25 may obtain a printout, list and/or computer tape **without any voter's date of birth** of those
26 newly registered voters or voters deleted from the voting rolls, since the last canvass or updating
27 of the rolls.