

HCS HB 948 -- VOTING RIGHTS

SPONSOR: May (Cooper, 158)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 6 to 5.

This substitute changes the laws regarding elections. In its main provisions, the substitute:

(1) Prohibits any compensation based on the number of voters registered or registration applications collected and submitted by a person. Persons who collect registration applications are prohibited from destroying, defacing, or concealing them, and any registration application collected by a person must be submitted to the election authority within seven days. Any violation of these provisions is a class four election offense (Section 115.203, RSMo);

(2) Requires persons who are compensated for soliciting more than 10 voter registration applications to register with the Secretary of State as voter registration solicitors and provide certain personal information. Failure to register or providing false information is a class three election offense (Section 115.205);

(3) Establishes procedures for filing complaints with the Secretary of State alleging violations of the Help America Vote Act of 2002 and for the Secretary of State to investigate the complaints. If a violation is identified, the Secretary of State will determine and provide the appropriate remedy (Section 115.219);

(4) Requires voters whose names have been removed from the registration records to file judicial appeals within certain time limits (Section 115.223);

(5) Makes the list of persons applying for an absentee ballot confidential and the disclosure of this information a class four election offense (Section 115.289);

(6) Establishes procedures to determine a voter's eligibility to vote at a given polling place and, if eligibility cannot be determined in a timely manner, authorizes the voter to cast a provisional ballot after completing an affidavit. Procedures are detailed for handling, verifying, accepting or rejecting, and counting provisional ballots. State courts do not have jurisdiction to extend polling hours, but certain state officials have authority to extend the hours during a declared statewide emergency (Section 115.430);

(7) Establishes standards for counting ballots in jurisdictions using punch card, optical scan, and paper ballot voting systems

and for determining voter intent. Write-in stickers are allowed under certain circumstances (Section 115.456);

(8) Prohibits electioneering or conducting exit polls within 50 feet of a polling place instead of the current 25 feet (Section 115.637); and

(9) Repeals Section 115.126 authorizing election authorities to implement an advanced voting system.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$12,500 to Unknown in FY 2006, \$15,450 to Unknown in FY 2007, and \$15,914 to Unknown in FY 2008. No impact on Other State Funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that the bill codifies many practices that are already done by rule.

Testifying for the bill was Representative Cooper (158).

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say they have concerns regarding the registration of voter registration solicitors and would like to see a "do not call" list included for persons voting by absentee.

Others testifying on the bill were League of Women Voters of Missouri; and Office of the Secretary of State.

Julie Jinkens McNitt, Legislative Analyst