

CCS#2 HCS SS#2 SCS SB 1014 & 730 -- ELECTIONS

This bill establishes the Missouri Voter Protection Act which changes the laws regarding elections. In its main provisions, the bill:

(1) Specifies that for elections held on or before November 1, 2008, all eligible voters may cast a provisional ballot if they fail to meet the documentation or photographic identification requirements to cast a regular ballot. In order to vote a provisional ballot, a person must sign an affidavit and provide any state-issued identification, voter identification card, any identification issued by the United States, educational institution identification, non-Missouri driver's license, or other specified types of bills and documents. The provisional ballots will be confirmed by signature matching;

(2) Requires that for any election after November 1, 2008, voters must establish their identity prior to voting by providing a nonexpired Missouri driver's license; a Missouri nondriver's license; certain specified documents; or photographic identification, without an expiration date, that is issued to members of the Missouri National Guard, the United States armed forces, or by the Veterans' Administration. A voter may cast a provisional ballot, but it will only count if he or she returns to the polling site with the appropriate identification during the election period;

(3) Specifies that for all elections any person who has a physical or mental disability, has a religious belief forbidding the use of photographic identification, or was born on or before January 1, 1941, may vote a provisional ballot upon signing an affidavit as specified in Section 115.427, RSMo;

(4) Requires that nondriver's licenses be provided free of charge to any eligible voter who lacks other means of identification. Mobile units will assist with issuing the nondriver's licenses, and the Director of the Department of Revenue will provide a report to the General Assembly on the number of nondriver's licenses issued for voting purposes and the reason for denying any request;

(5) Requires the Secretary of State to provide notice of the new voter requirements through major communications media such as radio, television, the Internet, and printed publications;

(6) Specifies that absentee ballots will not be mailed to voters who register by mail until they have voted in person or provided the newly required documentation or photographic identification to vote a regular ballot. Exceptions are allowed based on

federal laws;

(7) Requires election authorities to create a list of legally registered voters using the process specified in Section 115.158. Precinct binders based on identification by election judges will no longer be sufficient for voter identification lists. Voter notification cards with the new photographic identification requirements will be mailed to registered voters;

(8) Specifies that challenges to the legitimacy of voter identification may be made only to election judges and election authorities as specified in Section 115.105;

(9) Provides the criteria for holding elections after natural or man-made disasters and authorizes three-judge panels formed by appellate court judges to allow the rescheduling of elections and to oversee elections. Appeals to the Missouri Supreme Court are allowed;

(10) Requires individuals registering more than 10 persons as new voters to register with the Secretary of State as voter registration solicitors. The process and requirements for registration are specified. Solicitors cannot be paid by the quantity of voters registered or the number of applications submitted, but the bill does not prohibit an hourly compensation. Failure to register will be a class three election offense;

(11) Specifies detailed criteria for counting different types of punch cards and optical scan ballots to help resolve disputes over how election authorities should judge ballots;

(12) Removes the ability to vote a straight party ticket;

(13) Gives election authorities in St. Charles County discretion on the number of ballots they print for elections. All other counties will be required to print a ratio of one and one-third times the number of ballots used in the specified types of previous elections held in those counties;

(14) Requires elections to be held for the board of trustees for community college districts even if the number of candidates is equal to the number of vacancies;

(15) Prohibits state courts from extending polling hours past those established by state law;

(16) Creates two new class one election offenses:

(a) Engaging in any acts of violence, destruction of property worth \$500 or more, or threats of violence with the intent of

interfering with the right to vote; and

(b) Knowingly providing false information about election procedures for the purpose of preventing voting;

(17) Allows minor children to accompany their parents, grandparents, or guardians into a voting booth;

(18) Removes the ability to vote an advance ballot; and

(19) Removes the ability for voters to challenge the removal of their names from registration lists in circuit court.

The bill becomes effective August 28, 2006, except for Section 115.427, regarding the issuance of a nondriver's license at no charge, which contains an emergency clause.