

FIRST REGULAR SESSION

# HOUSE BILL NO. 922

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KRATKY (Sponsor), DEEKEN, POLLOCK, RICHARD, WASSON, NIEVES, SCHOEMEHL, MEINERS, SALVA, CHAPPELLE-NADAL, VILLA, HAYWOOD, DONNELLY, WOOD, MAY, HUBBARD, BURNETT, GUEST, LIESE, LOWE (44) AND YAEGER (Co-sponsors).

Read 1st time February 20, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1781L.011

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### AN ACT

To repeal sections 115.277 and 115.284, RSMo, and to enact in lieu thereof two new sections relating to absentee ballots.

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

Section A. Sections 115.277 and 115.284, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 115.277 and 115.284, to read as follows:

115.277. 1. Except as provided in subsections 3, 4 and 5 of this section, any registered  
2 voter of this state may vote by absentee ballot for all candidates and issues for which such voter  
3 would be eligible to vote at the polling place if such voter expects to be prevented from going  
4 to the polls to vote on election day due to:

5 (1) Absence on election day from the jurisdiction of the election authority in which such  
6 voter is registered to vote;

7 (2) Incapacity or confinement due to illness or physical disability, including a person  
8 who is primarily responsible for the physical care of a person who is incapacitated or confined  
9 due to illness or disability;

10 (3) Religious belief or practice;

11 (4) Employment as an election authority, as a member of an election authority, or by an  
12 election authority at a location other than such voter's polling place;

13 (5) Incarceration, provided all qualifications for voting are retained.

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.

14           2. Any person in federal service, as defined in section 115.275, who is eligible to register  
 15 and vote in this state but is not registered may vote only in the election of presidential and vice  
 16 presidential electors, United States senator and representative in Congress even though the  
 17 person is not registered. Each person in federal service may vote by absentee ballot or, upon  
 18 submitting an affidavit that the person is qualified to vote in the election, may vote at the person's  
 19 polling place.

20           3. Any interstate former resident, as defined in section 115.275, may vote by absentee  
 21 ballot for presidential and vice presidential electors.

22           4. Any intrastate new resident, as defined in section 115.275, may vote by absentee ballot  
 23 at the election for presidential and vice presidential electors, United States senator, representative  
 24 in Congress, statewide elected officials and statewide questions, propositions and amendments  
 25 from such resident's new jurisdiction of residence after registering to vote in such resident's new  
 26 jurisdiction of residence.

27           5. Any new resident, as defined in section 115.275, may vote by absentee ballot for  
 28 presidential and vice presidential electors after registering to vote in such resident's new  
 29 jurisdiction of residence.

30           **6. Any registered voter of this state who is seventy years of age or older may vote**  
 31 **by absentee ballot for all candidates and issues for which such voter would be eligible to**  
 32 **vote at the voter's polling place.**

          115.284. 1. There is hereby established an absentee voting process to assist persons with  
 2 permanent disabilities **or who are seventy years of age or older** in the exercise of their voting  
 3 rights.

4           2. The local election authority shall [send] **provide** an application to participate in the  
 5 absentee voting process set out in this section to any registered voter residing within the election  
 6 authority's jurisdiction [upon] **with any request for an absentee ballot.**

7           3. Upon receipt of a properly completed application, the election authority shall enter the  
 8 voter's name on a list of voters qualified to participate as absentee voters pursuant to this section.

9           4. The application to participate in the absentee voting process shall be in substantially  
 10 the following form:

11 State of .....

12 County (City) of .....

13 I,..... (print applicant's name), declare that I am a resident and registered  
 14 voter of ..... County, Missouri, and am permanently disabled **or am seventy**  
 15 **years of age or older.** I hereby request that my name be placed on the election authority's list  
 16 of voters qualified to participate as absentee voters pursuant to section 115.284, and that I be  
 17 delivered an absentee ballot application for each election in which I am eligible to vote.

18 .....

19 Signature of Voter

20 .....

21 .....

22 Voter's Address

23         5. Not earlier than ten weeks before an election but prior to the fourth Tuesday prior to  
24 an election, the election authority shall deliver to each voter qualified to participate as absentee  
25 voters pursuant to this section an absentee ballot application if the voter is eligible to vote in that  
26 election. If the voter returns the absentee request application to the election authority not later  
27 than 5:00 p.m. on the Wednesday before an election and has retained the necessary qualifications  
28 to vote, the election authority shall provide the voter with an absentee ballot pursuant to this  
29 chapter.

30         6. The election authority shall remove from the list of voters qualified to participate as  
31 absentee voters pursuant to this section any voter who:

- 32         (1) Asks to be removed from the list;
- 33         (2) Dies;
- 34         (3) Becomes disqualified from voting pursuant to this chapter; or
- 35         (4) No longer resides at the address of his or her voter registration.

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