

SECOND REGULAR SESSION

# HOUSE BILL NO. 1952

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES COX (Sponsor), FUNDERBURK, JONES (89), SCHAAF,  
GRISAMORE, BIVINS, SCHAD, RUESTMAN AND GATSCHENBERGER (Co-sponsors).

4721L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 115, RSMo, by adding thereto one new section relating to voter registration challenges.

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

Section A. Chapter 115, RSMo, is amended by adding thereto one new section, to be  
2 known as section 115.142, to read as follows:

**115.142. 1. Any registered voter may challenge the registration of another voter  
2 at a hearing before the local election authority with jurisdiction over the registration of the  
3 voter being challenged.**

**4 2. A voter desiring to challenge a registration shall file with the local election  
5 authority a sworn statement of the grounds for the challenge that:**

**6 (1) Identifies the voter whose registration is being challenged; and**

**7 (2) States a specific qualification for registration that the challenged voter has not  
8 met based on the personal knowledge of the voter desiring to challenge the registration.**

**9 3. (1) (a) Except as provided in subdivision (3) of this subsection, on the filing of  
10 a sworn statement alleging a ground based on residence, the local election authority shall  
11 promptly deliver to the voter whose registration is challenged a confirmation notice in  
12 accordance with paragraph (b) of this subdivision.**

**13 (b) If the local election authority has reason to believe that a voter's current  
14 residence is different from that indicated in the voter registration system, the local election  
15 authority shall deliver to the voter a written confirmation notice requesting confirmation  
16 of the voter's current residence. The local election authority shall include an official**

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.

17 confirmation notice response form with each confirmation notice delivered to a voter. The  
18 confirmation notice shall be delivered by forwardable mail to the voter's last known  
19 address. The local election authority shall maintain a list of the confirmation notices  
20 mailed to voters, which for each notice shall include the voter's name and the date the  
21 notice is mailed. The local election authority shall maintain and retain the list in  
22 accordance with rules prescribed by the secretary of state.

23 (2) If the voter fails to submit the official confirmation notice response form to the  
24 local election authority within thirty days after the confirmation notice is mailed, the local  
25 election authority shall enter the voter's name on a suspense list containing the name of  
26 each voter who failed to submit a response under this subsection.

27 (3) The local election authority shall not deliver a confirmation notice resulting  
28 from a sworn statement filed after the seventy-fifth day before the date of the general  
29 election for state and county elections until after the date of that election. This subdivision  
30 shall not apply to a person who submits a registration application after the seventy-fifth  
31 day and before the thirtieth day before the general election for state and county elections.

32 4. (1) On the filing of a sworn statement alleging a ground other than residence,  
33 the local election authority shall schedule a hearing on the challenge. The hearing  
34 procedure shall not apply to an allegation of a ground based on residence.

35 (2) The local election authority shall conduct the hearing no later than the twentieth  
36 day after the date the statement is filed or on a later date requested by either party and  
37 agreed to by both parties.

38 (3) A party may appear personally at the hearing to offer evidence or argument.  
39 A party may offer evidence or argument by affidavit without personally appearing if the  
40 party submits the affidavit to the local election authority before the hearing begins.

41 5. The local election authority shall deliver written notice of the hearing on the  
42 challenge to each party to the controversy not later than the fifteenth day before the date  
43 of the hearing. The notice shall include the date, hour, and place set for the hearing, and  
44 a brief explanation of the right to appeal the local election authority's decision. The notice  
45 delivered to the voter whose registration is challenged shall be accompanied by a copy of  
46 the sworn statement of the grounds for the challenge.

47 6. (1) After hearing and considering the evidence or argument, the local election  
48 authority shall promptly determine the challenge and issue a decision in writing. If the  
49 local election authority determines that the voter's registration should not be canceled, the  
50 registration shall continue in effect. If the local election authority determines that the  
51 voter's registration should be cancelled, the local election authority shall cancel the

52 registration on the thirty-first day after the date the local election authority's decision is  
53 issued.

54 (2) The local election authority shall retain a copy of the decision on file with the  
55 duplicate registration certificate of the voter whose registration was challenged, and shall  
56 deliver a copy to each party to the challenge.

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