

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE JOINT RESOLUTION NO. 90

97TH GENERAL ASSEMBLY

6542S.07T

2014

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, by adding thereto one new section relating to early voting.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2014, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article VIII of the Constitution of the state of Missouri:

Section A. Article VIII, Constitution of Missouri, is amended by adding thereto one new section, to be known as section 11, to read as follows:

Section 11. 1. Qualified voters of the state shall be entitled to vote in person or by mail in advance of the day of the general election, but only under the following subdivisions:

(1) Qualified voters casting ballots under this section shall have been registered to vote, unless otherwise provided by law, on or before the fourth Wednesday prior to the day of the election;

(2) No qualified voter shall be required to state any reason, excuse, or explanation for casting a ballot under this section;

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.

9 **(3) Ballots shall be cast in person or by mail only during the six business days, not**
10 **to include Saturday or Sunday, immediately prior to and including the last Wednesday**
11 **prior to the election day. In-person ballots shall be cast at the local election authority**
12 **during its regular business hours;**

13 **(4) Each local election authority shall appoint at least one election judge from each**
14 **major political party to serve at the site of the local election authority. Procedures for**
15 **appointing judges, casting ballots, and tabulating ballots shall be the same as provided by**
16 **general election laws.**

17 **2. No local election authority or other public official shall, in advance of the day of**
18 **the election, disclose the identity of any qualified voter who, in advance of the day of the**
19 **election, has cast or has not cast a ballot, unless the qualified voter has authorized the**
20 **disclosure. A qualified voter's authorization must be in writing, signed by the qualified**
21 **voter, dated, and delivered to the secretary of state no later than the sixth Wednesday prior**
22 **to the day of the election. An authorization is effective only for one general election.**

23 **3. If any local election authority is required by any provision of law or of this**
24 **constitution to produce, in advance of the day of the election, a list of qualified voters who**
25 **have already cast ballots, such list shall designate those qualified voters who have not filed**
26 **a valid written authorization under subsection 2 of this section by using a random**
27 **designation that does not identify those qualified voters or provide residential or other**
28 **personal information from which their identities might be determined. If any such list is**
29 **required to be delivered promptly after a request, the list shall be deemed to have been**
30 **promptly delivered if it is delivered no later than 5:00 p.m. on the Monday before the**
31 **election day. In addition to the restrictions in this section on the provision of identifying**
32 **information, any such list shall include only qualified voter information authorized to be**
33 **disclosed pursuant to general election laws.**

34 **4. The secretary of state and local election authorities shall provide qualified voters**
35 **mail-in ballots under this section only by mail, and only upon the written, signed, and**
36 **dated request of a qualified voter. Such request shall be valid for only one general election.**
37 **No qualified voter shall receive more than one mail-in ballot.**

38 **5. No local election authority or other public office shall conduct any activity or**
39 **incur any expense for the purpose of allowing voting in person or by mail in advance of the**
40 **general election day unless a state appropriation is made and disbursed to pay the local**
41 **election authority or other public office for the increased cost or expense of the activity.**

42 **6. The provisions of this section shall be self-executing. Any law that conflicts with**
43 **this section shall not be valid or enforceable. If any provision of this section is found by**
44 **a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the**

45 **remaining provisions of this section shall be and remain valid. Nothing in this section shall**
46 **be deemed to repeal or invalidate section 7 of article VIII of this constitution or to repeal**
47 **or invalidate general laws permitting certain qualified voters to cast absentee ballots. This**
48 **section shall not be repealed or invalidated by constitutional amendment, in whole or in**
49 **part, unless the text of the amending provision expressly references this section or the parts**
50 **thereof that are to be repealed, and no part of this section shall be repealed by implication.**

Section B. Pursuant to chapter 116 and other applicable constitutional provisions and
2 laws of the this state allowing the general assembly to adopt ballot language for the submission
3 of this joint resolution to the voters of this state, the official summary statement of this resolution
4 shall be as follows:

5 "Shall the Missouri Constitution be amended to permit voting in person or by
6 mail for a period of six business days prior to and including the Wednesday
7 before the election day in all general elections?"

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