House _____ **Amendment NO._____**

Offered By

_____   _____

1   AMEND House Committee Substitute for House Bill Nos. 26 & 922, Page 7, Section 115.157, Line
2   80, by inserting after said section and line the following:
3
4   "115.158. 1. The secretary of state shall implement a centralized, interactive computerized
5   statewide voter registration list. This computerized list shall be known as the "Missouri Voter
6   Registration System". The system shall be implemented by January 1, 2004, unless a waiver is
7   obtained pursuant to the Help America Vote Act of 2002. If a waiver is obtained, the system shall
8   be implemented by January 1, 2006. The system shall be maintained and administered by the
9   secretary of state and contain the name and registration information of every legally registered voter
10 in Missouri. In addition, the system shall:
11   (1) Assign a unique identifier to each legally registered voter in Missouri;
12   (2) Serve as the single system for storing and managing the official list of registered voters
13 throughout Missouri;
14   (3) Be coordinated with other agency databases in Missouri;
15   (4) Allow any election official in Missouri, including local election authorities, immediate
16 electronic access to the information contained in the system;
17   (5) Allow all voter registration information obtained by any local election official in
18 Missouri to be electronically entered into the system on an expedited basis at the time the
19 information is provided to the local official. The secretary of state, as the chief state election
20 official, shall provide such support as may be required so that local election officials are able to
21 enter the registration information; and
22   (6) Serve as the official voter registration list for the conduct of all elections in Missouri.
23   2. Except as provided for in subsection 10 of this section, the secretary of state and local
24 election authorities shall perform system maintenance on a regular basis, which shall include:
25   (1) Removing names in accordance with the provisions and procedures of the National Voter
26 Registration Act of 1993 and coordinating system maintenance activities with state agency records
27 on death and felony status;
28   (2) Requiring the name of each registered voter to appear in the system;
29   (3) Removing only voters who are not registered or who are not eligible to vote; and
30   (4) Eliminating duplicate names from the system.
31   3. The secretary of state shall provide adequate technological security measures to prevent
32 the unauthorized access to the system established pursuant to this section.
33   4. The secretary of state shall develop procedures to ensure that voter registration records
34 within the system are accurate and updated regularly. At a minimum, the procedures shall include:
35   (1) A system of file maintenance that makes a reasonable effort to remove registrants who
36 are ineligible to vote. Consistent with the National Voter Registration Act of 1993, registrants who

Action Taken_____ Date _____

1   have not responded to a notice and who have not voted in two consecutive general elections for
2   federal office shall be removed from the official list of eligible voters, except that no registrant may
3   be removed solely by reason of a failure to vote; and
4   (2) Safeguards to ensure that eligible voters are not removed in error.
5   5. Voter registration information shall be verified in accordance with the Help America Vote
6   Act of 2002.
7   (1) Except as provided in subdivision (2) of this subsection, an application for voter
8   registration may not be accepted or processed unless the application includes:
9   (a) In the case of an applicant who has been issued a current and valid driver's license, the
10 applicant's driver's license number; or
11   (b) In the case of any other applicant, other than an applicant to whom subdivision (2)
12 applies, the last four digits of the applicant's Social Security number.
13   (2) If an applicant for voter registration has not been issued a current and valid driver's
14 license or a Social Security number, the applicant shall be assigned a number which will serve to
15 identify the applicant for voter registration purposes. The number assigned under this subdivision
16 shall be used as the unique identifying number within the system.
17   (3) The secretary of state and the director of the department of revenue shall enter into an
18 agreement to match information in the database of the voter registration system with information in
19 the database of the motor vehicle system to enable the secretary to verify the accuracy of
20 information provided on applications for voter registration.
21   (4) The director of the department of revenue shall enter into an agreement with the
22 commissioner of Social Security and comply with the Help America Vote Act of 2002.
23   6. In addition to using the system for voter registration, the election authorities and secretary
24 of state may use the system for the collection and dissemination of election results and other
25 pertinent information. Any information contained in any state or local voter registration system,
26 limited to the master voter registration list or any other list generated from the information, subject
27 to chapter 610, shall not be used for commercial purposes; provided, however, that the information
28 may be used for elections, for candidates, or for ballot measures, furnished at a reasonable fee.
29 Violation of this section shall be a class B misdemeanor. For purposes of this section, "commercial
30 purposes" means the use of a public record for the purpose of sale or resale or for the purpose of
31 producing a document containing all or part of the copy, printout, or photograph for sale or the
32 obtaining of names and addresses from public records for the purpose of solicitation or the sale of
33 names and addresses to another for the purpose of solicitation or for any purpose in which the
34 purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of
35 the public record.
36   7. The secretary of state shall establish an advisory committee to assist in the establishment
37 and maintenance of the Missouri voter registration system.
38   8. The secretary of state may promulgate rules to execute this section. No rule or portion of
39 a rule promulgated pursuant to the authority of this section shall become effective unless it has been
40 promulgated pursuant to chapter 536.
41   9. Election authorities and any agency required under the National Voter Registration Act of
42 1993 to accept voter registration applications shall forward registration and other data in a manner
43 prescribed by the secretary of state to assist with administering and maintaining the Missouri voter
44 registration system in accordance with the Help America Vote Act of 2002.
45   10. Notwithstanding the provisions of subsection 2 of this section, the secretary of state
46 shall not remove a registered voter from the system due to inactivity unless it has been more than
47 five calendar years since the registered voter last voted. Before removing voters after five calendar
48 years of inactivity, the secretary of state shall provide written notice to the registered voter with
49 instructions for re-registration."; and

1 Further amend said bill, Page 8, Section 115.168, Line 17, by inserting after said section and line the
2 following:
3
4   "115.221. Notwithstanding any other provisions of law to the contrary, each election
5 authority may have the voting records inspected and may investigate the qualifications of any
6 person who has not voted or transferred his registration within the **[four]** five preceding calendar
7 years."; and
8
9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.