

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 656, Page 1, Section A, Line 2, by  
2 inserting after all of said section and line the following:

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

8 ~~—— (1) Absence on election day from the jurisdiction of the election authority in which such~~  
9 ~~voter is registered to vote;~~

10 ~~—— (2) Incapacity or confinement due to illness or physical disability, including a person who is~~  
11 ~~primarily responsible for the physical care of a person who is incapacitated or confined due to~~  
12 ~~illness or disability;~~

13 ~~—— (3) Religious belief or practice;~~

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

16 ~~—— (5) Incarceration, provided all qualifications for voting are retained;~~

17 ~~—— (6) Certified participation in the address confidentiality program established under sections~~  
18 ~~589.660 to 589.681 because of safety concerns].~~

19 2. Any covered voter~~[, as defined in section 115.275,]~~ who is eligible to register and vote in  
20 this state may vote in any election for federal office, statewide office, state legislative office, or  
21 statewide ballot initiatives by submitting a federal postcard application to apply to vote by absentee  
22 ballot or by submitting a federal postcard application at the polling place even though the person is  
23 not registered. A federal postcard application submitted by a covered voter pursuant to this  
24 subsection shall also serve as a voter registration application under section 115.908 and the election  
25 authority shall, if satisfied that the applicant is entitled to register, place the voter's name on the  
26 voter registration file. Each covered voter may vote by absentee ballot or, upon submitting an  
27 affidavit that the person is qualified to vote in the election, may vote at the person's polling place.

28 3. Any interstate former resident~~[, as defined in section 115.275,]~~ may vote by absentee  
29 ballot for presidential and vice presidential electors.

30 4. Any intrastate new resident~~[, as defined in section 115.275,]~~ may vote by absentee ballot  
31 at the election for presidential and vice presidential electors, United States senator, representative in

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 Congress, statewide elected officials and statewide questions, propositions and amendments from  
2 such resident's new jurisdiction of residence after registering to vote in such resident's new  
3 jurisdiction of residence.

4 5. Any new resident~~[, as defined in section 115.275,]~~ may vote by absentee ballot for  
5 presidential and vice presidential electors after registering to vote in such resident's new jurisdiction  
6 of residence.

7 115.279. 1. Application for an absentee ballot may be made by the applicant in person, or  
8 by mail, or for the applicant, in person, by his or her guardian or a relative within the second degree  
9 by consanguinity or affinity. The election authority shall accept applications by facsimile  
10 transmission and by electronic mail within the limits of its telecommunications capacity.

11 2. Each application shall be made to the election authority of the jurisdiction in which the  
12 person is or would be registered. Each application shall be in writing and shall state the applicant's  
13 name, address at which he or she is or would be registered, ~~[his or her reason for voting an absentee~~  
14 ~~ballot,]~~ whether the applicant is incapacitated or confined due to illness or physical disability or is a  
15 person who is primarily responsible for the physical care of a person who is incapacitated or  
16 confined due to illness or physical disability, the address to which the ballot is to be mailed, if  
17 mailing is requested, and for absent uniformed services and overseas applicants, the applicant's  
18 email address if electronic transmission is requested. If the ~~[reason for the applicant voting absentee~~  
19 ~~is due to the reasons established under subdivision (6) of subsection 1 of section 115.277]~~ applicant  
20 is a certified participant in the address confidentiality program established under sections 589.660 to  
21 589.681, the applicant shall state the voter's identification information provided by the address  
22 confidentiality program in lieu of the applicant's name, address at which he or she is or would be  
23 registered, and address to which the ballot is to be mailed, if mailing is requested. Each application  
24 to vote in a primary election shall also state which ballot the applicant wishes to receive. If any  
25 application fails to designate a ballot, the election authority shall, within three working days after  
26 receiving the application, notify the applicant by mail that it will be unable to deliver an absentee  
27 ballot until the applicant designates which political party ballot he or she wishes to receive. If the  
28 applicant does not respond to the request for political party designation, the election authority is  
29 authorized to provide the voter with that part of the ballot for which no political party designation is  
30 required.

31 3. ~~[Except as provided in subsection 3 of section 115.281,]~~ All applications for absentee  
32 ballots received prior to the sixth Tuesday before an election shall be stored at the office of the  
33 election authority until such time as the applications are processed in accordance with section  
34 115.281. No application for an absentee ballot received in the office of the election authority by  
35 mail, by facsimile transmission, by electronic mail, or by a guardian or relative after 5:00 p.m. on  
36 the second Wednesday immediately prior to the election shall be accepted by any election authority.  
37 No application for an absentee ballot submitted by the applicant in person after 5:00 p.m. on the day  
38 before the election shall be accepted by any election authority, except as provided in subsections 6, 8  
39 and 9 of this section.

40 4. Each application for an absentee ballot shall be signed by the applicant or, if the  
41 application is made by a guardian or relative pursuant to this section, the application shall be signed

1 by the guardian or relative, who shall note on the application his or her relationship to the applicant.  
 2 If an applicant, guardian or relative is blind, unable to read or write the English language or  
 3 physically incapable of signing the application, he or she shall sign by mark, witnessed by the  
 4 signature of an election official or person of his or her own choosing. Any person who knowingly  
 5 makes, delivers or mails a fraudulent absentee ballot application shall be guilty of a class one  
 6 election offense.

7 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who  
 8 resides outside the boundaries of the United States or who is on active duty with the Armed Forces  
 9 of the United States or members of their immediate family living with them may request an absentee  
 10 ballot for both the primary and subsequent general election with one application.

11 (2) The election authority shall provide each absent uniformed services voter and each  
 12 overseas voter who submits a voter registration application or an absentee ballot request, if the  
 13 election authority rejects the application or request, with the reasons for the rejection.

14 (3) Notwithstanding any other law to the contrary, if a standard oath regarding material  
 15 misstatements of fact is adopted for uniformed and overseas voters pursuant to the Help America  
 16 Vote Act of 2002, the election authority shall accept such oath for voter registration, absentee ballot,  
 17 or other election-related materials.

18 (4) Not later than sixty days after the date of each regularly scheduled general election for  
 19 federal office, each election authority which administered the election shall submit to the secretary  
 20 of state in a format prescribed by the secretary a report on the combined number of absentee ballots  
 21 transmitted to, and returned by, absent uniformed services voters and overseas voters for the  
 22 election. The secretary shall submit to the Election Assistance Commission a combined report of  
 23 such information not later than ninety days after the date of each regularly scheduled general  
 24 election for federal office and in a standardized format developed by the commission pursuant to the  
 25 Help America Vote Act of 2002. The secretary shall make the report available to the general public.

26 (5) As used in this section, the terms "absent uniformed services voter" and "overseas voter"  
 27 shall have the meaning prescribed in 52 U.S.C. Section 20310.

28 6. An application for an absentee ballot by a new resident shall be submitted in person by  
 29 the applicant in the office of the election authority in the election jurisdiction in which such  
 30 applicant resides. The application shall be received by the election authority no later than 7:00 p.m.  
 31 on the day of the election. Such application shall be in the form of an affidavit, executed in  
 32 duplicate in the presence of the election authority or any authorized officer of the election authority,  
 33 and in substantially the following form:

34 "STATE OF \_\_\_\_\_  
 35 COUNTY OF \_\_\_\_\_, ss.

36 I, \_\_\_\_\_, do solemnly swear that:

37 (1) Before becoming a resident of this state, I resided at \_\_\_\_\_ (residence  
 38 address) in \_\_\_\_\_ (town, township, village or city) of \_\_\_\_\_ County in the  
 39 state of \_\_\_\_\_;

40 (2) I moved to this state after the last day to register to vote in such general  
 41 presidential election and I am now residing in the county of \_\_\_\_\_, state of \_\_\_\_\_

1 Missouri;

2 (3) I believe I am entitled pursuant to the laws of this state to vote in the  
3 presidential election to be held November \_\_\_\_\_, \_\_\_\_\_ (year);

4 (4) I hereby make application for a presidential and vice presidential ballot. I  
5 have not voted and shall not vote other than by this ballot at such election.

6 Signed \_\_\_\_\_

7 (Applicant)

8 \_\_\_\_\_

9 (Residence Address)

10 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

11 Signed \_\_\_\_\_

12 (Title and name of officer authorized to administer oaths)"

13 7. The election authority in whose office an application is filed pursuant to subsection 6 of  
14 this section shall immediately send a duplicate of such application to the appropriate official of the  
15 state in which the new resident applicant last resided and shall file the original of such application in  
16 its office.

17 8. An application for an absentee ballot by an intrastate new resident shall be made in  
18 person by the applicant in the office of the election authority in the election jurisdiction in which  
19 such applicant resides. The application shall be received by the election authority no later than 7:00  
20 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in  
21 duplicate in the presence of the election authority or an authorized officer of the election authority,  
22 and in substantially the following form:

23 "STATE OF \_\_\_\_\_

24 COUNTY OF \_\_\_\_\_, ss.

25 I, \_\_\_\_\_, do solemnly swear that:

26 (1) Before becoming a resident of this election jurisdiction, I resided at \_\_\_\_\_  
27 (residence address) in \_\_\_\_\_ (town, township, village or city) of \_\_\_\_\_  
28 county in the state of \_\_\_\_\_;

29 (2) I moved to this election jurisdiction after the last day to register to vote in  
30 such election;

31 (3) I believe I am entitled pursuant to the laws of this state to vote in the election  
32 to be held \_\_\_\_\_ (date);

33 (4) I hereby make application for an absentee ballot for candidates and issues on  
34 which I am entitled to vote pursuant to the laws of this state. I have not voted  
35 and shall not vote other than by this ballot at such election.

36 Signed \_\_\_\_\_

37 (Applicant)

38 \_\_\_\_\_

39 (Residence Address)

40 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

41 Signed \_\_\_\_\_

1 (Title and name of officer authorized to administer oaths)"

2 9. An application for an absentee ballot by an interstate former resident shall be received in  
3 the office of the election authority where the applicant was formerly registered by 5:00 p.m. on the  
4 second Wednesday immediately prior to the election, unless the application is made in person by the  
5 applicant in the office of the election authority, in which case such application shall be made no later  
6 than 7:00 p.m. on the day of the election.

7 115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the  
8 voter's name, the voter's voting address, and the voter's mailing address [~~and the voter's reason for~~  
9 ~~voting an absentee ballot~~]. If the [~~reason for the voter voting absentee is due to the reasons~~  
10 ~~established under subdivision (6) of subsection 1 of section 115.277,~~] applicant is a certified  
11 participant in the address confidentiality program established under sections 589.660 to 589.681, the  
12 voter shall state the voter's identification information provided by the address confidentiality  
13 program in lieu of the applicant's name, voting address, and mailing address. On the form, the voter  
14 shall also state under penalties of perjury that the voter is qualified to vote in the election, that the  
15 voter has not previously voted and will not vote again in the election, that the voter has personally  
16 marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is  
17 unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or  
18 under the voter's supervision if the voter is unable to seal it, and that all information contained in the  
19 statement is true. In addition, any person providing assistance to the absentee voter shall include a  
20 statement on the envelope identifying the person providing assistance under penalties of perjury.  
21 Persons authorized to vote only for federal and statewide officers shall also state their former  
22 Missouri residence.

23 2. The statement for persons voting absentee ballots who are registered voters shall be in  
24 substantially the following form:

25 State of Missouri

26 County (City) of \_\_\_\_\_

27 I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City of St. Louis,  
28 Kansas City), declare under the penalties of perjury [~~that I expect to be prevented~~  
29 ~~from going to the polls on election day due to (check one):~~

30 \_\_\_\_\_ ~~absence on election day from the jurisdiction of the election authority~~  
31 ~~in which I am registered;~~

32 \_\_\_\_\_ ~~incapacity or confinement due to illness or physical disability,~~  
33 ~~including caring for a person who is incapacitated or confined due to~~  
34 ~~illness or disability;~~

35 \_\_\_\_\_ ~~religious belief or practice;~~

36 \_\_\_\_\_ ~~employment as an election authority or by an election authority at a~~  
37 ~~location other than my polling place;~~

38 \_\_\_\_\_ ~~incarceration, although I have retained all the necessary qualifications~~  
39 ~~for voting;~~

40 \_\_\_\_\_ ~~certified participation in the address confidentiality program~~  
41 ~~established under sections 589.660 to 589.681 because of safety~~

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concerns.

I hereby state under penalties of perjury] that I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

\_\_\_\_\_  
Signature of Voter

\_\_\_\_\_  
Signature of Person

Assisting Voter  
(if applicable)

Signed \_\_\_\_\_

Subscribed and sworn

Signed \_\_\_\_\_

to before me this

Address of Voter

\_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Mailing addresses  
(if different)

Signature of notary or  
other officer  
authorized to  
administer oaths

3. The statement for persons voting absentee ballots pursuant to the provisions of subsection 2, 3, 4, or 5 of section 115.277 without being registered shall be in substantially the following form:

State of Missouri  
County (City) of \_\_\_\_\_

I, \_\_\_\_\_ (print name), declare under the penalties of perjury that I am a citizen of the United States and eighteen years of age or older. I am not adjudged incapacitated by any court of law, and if I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I hereby state under penalties of perjury that I am qualified to vote at this election.

I am (check one):

\_\_\_\_\_ a resident of the state of Missouri and a registered voter in \_\_\_\_\_ County and moved from that county to \_\_\_\_\_ County, Missouri, after the last day to register to vote in this election.

\_\_\_\_\_ an interstate former resident of Missouri and authorized to vote for presidential and vice presidential electors.

I further state under penalties of perjury that I have not voted and will not vote other than by this ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the

1 information on this statement is, to the best of my knowledge and belief, true.

2 \_\_\_\_\_ Subscribed to and  
3 Signature of Voter sworn before me this  
4 \_\_\_\_\_ day of  
5 \_\_\_\_\_, \_\_\_\_\_

6 \_\_\_\_\_  
7 \_\_\_\_\_  
8 Address of Voter Signature of notary or  
9 other officer  
10 authorized to  
11 administer oaths

12 \_\_\_\_\_  
13 Mailing Address (if different) \_\_\_\_\_  
14 \_\_\_\_\_

15 \_\_\_\_\_  
16 Signature of Person Address of Last  
17 Assisting Voter Missouri Residence  
18 (if applicable)

19 4. The statement for persons voting absentee ballots who are entitled to vote at the election  
20 pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially the following  
21 form:

22 State of Missouri

23 County (City) of \_\_\_\_\_

24 I, \_\_\_\_\_ (print name), declare under the penalties of perjury [~~that I expect to be~~  
25 ~~prevented from going to the polls on election day due to (check one):~~

26 ~~\_\_\_\_\_ absence on election day from the jurisdiction of the election authority~~  
27 ~~in which I am directed to vote;~~

28 ~~\_\_\_\_\_ incapacity or confinement due to illness or physical disability,~~  
29 ~~including caring for a person who is incapacitated or confined due to~~  
30 ~~illness or disability;~~

31 ~~\_\_\_\_\_ religious belief or practice;~~

32 ~~\_\_\_\_\_ employment as an election authority or by an election authority at a~~  
33 ~~location other than my polling place;~~

34 ~~\_\_\_\_\_ incarceration, although I have retained all the necessary qualifications~~  
35 ~~of voting;~~

36 ~~\_\_\_\_\_ certified participation in the address confidentiality program~~  
37 ~~established under sections 589.660 to 589.681 because of safety~~  
38 ~~concerns.~~

39 I hereby state under penalties of perjury] that I own property in the \_\_\_\_\_ district  
40 and am qualified to vote at this election; I have not voted and will not vote other than  
41 by this ballot at this election. I further state that I marked the enclosed ballot in

1 secret or that I am blind, unable to read and write English, or physically incapable of  
 2 marking the ballot, and the person of my choosing indicated below marked the ballot  
 3 at my direction; all of the information on this statement is, to the best of my  
 4 knowledge and belief, true.

5 \_\_\_\_\_ Subscribed and sworn  
 6 Signature of Voter to before me this  
 7 \_\_\_\_\_ day of  
 8 \_\_\_\_\_, \_\_\_\_\_

9 \_\_\_\_\_  
 10 \_\_\_\_\_  
 11 Address Signature of notary or  
 12 other officer  
 13 authorized to  
 14 administer oaths

15 \_\_\_\_\_  
 16 Signature of Person  
 17 Assisting Voter  
 18 (if applicable)

19 5. The statement for persons providing assistance to absentee voters shall be in substantially  
 20 the following form:

21 The voter needed assistance in marking the ballot and signing above, because of  
 22 blindness, other physical disability, or inability to read or to read English. I marked  
 23 the ballot enclosed in this envelope at the voter's direction, when I was alone with the  
 24 voter, and I had no other communication with the voter as to how he or she was to  
 25 vote. The voter swore or affirmed the voter affidavit above and I then signed the  
 26 voter's name and completed the other voter information above. Signed under the  
 27 penalties of perjury.

28 Reason why voter needed assistance: \_\_\_\_\_

29 ASSISTING PERSON SIGN HERE

- 30 1. \_\_\_\_\_ (signature of assisting person)
- 31 2. \_\_\_\_\_ (assisting person's name printed)
- 32 3. \_\_\_\_\_ (assisting person's residence)
- 33 4. \_\_\_\_\_ (assisting person's home city or town).

34 6. Notwithstanding any other provision of this section, any covered voter as defined in  
 35 section 115.902 or persons who have declared themselves to be permanently disabled pursuant to  
 36 section 115.284, otherwise entitled to vote, shall not be required to obtain a notary seal or signature  
 37 on his or her absentee ballot.

38 7. Notwithstanding any other provision of this section or section 115.291 to the contrary, the  
 39 subscription, signature and seal of a notary or other officer authorized to administer oaths shall not  
 40 be required on any ballot, ballot envelope, or statement required by this section if the [reason for  
 41 the] voter voting absentee is [due to the reasons established pursuant to subdivision (2) of subsection



1 ~~1 of section 115.277]~~ incapacitated or confined due to illness or physical disability, including a  
2 person who is primarily responsible for the physical care of a person who is incapacitated or  
3 confined due to illness or physical disability.

4           8. No notary shall charge or collect a fee for notarizing the signature on any absentee ballot  
5 or absentee voter registration.

6           9. A notary public who charges more than the maximum fee specified or who charges or  
7 collects a fee for notarizing the signature on any absentee ballot or absentee voter registration is  
8 guilty of official misconduct."; and  
9

10 Further amend said bill by amending the title, enacting clause, and intersectional references  
11 accordingly.