

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 348, Page 6, Section 115.277, Line 1, to
2 Page 12, Section 115.283, Line 171 by removing all of said Sections from the bill and inserting in
3 lieu thereof the following:

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

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

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

14 (3) Religious belief or practice;

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

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

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

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

Action Taken _____ Date _____

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

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

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

13 2. Each application shall be made to the election authority of the jurisdiction in which the
14 person is or would be registered. Each application shall be in writing and shall state the applicant's
15 name, address at which he or she is or would be registered, [his or her reason for voting an absentee
16 ballot,] the address to which the ballot is to be mailed, if mailing is requested, and for absent
17 uniformed services and overseas applicants, the applicant's email address if electronic transmission is
18 requested. Each application to vote in a primary election shall also state which ballot the applicant
19 wishes to receive. If any application fails to designate a ballot, the election authority shall, within
20 three working days after receiving the application, notify the applicant by mail that it will be unable
21 to deliver an absentee ballot until the applicant designates which political party ballot he or she
22 wishes to receive. If the applicant does not respond to the request for political party designation, the
23 election authority is authorized to provide the voter with that part of the ballot for which no political
24 party designation is required.

25 3. Except as provided in subsection 3 of section 115.281, all applications for absentee ballots
26 received prior to the sixth Tuesday before an election shall be stored at the office of the election
27 authority until such time as the applications are processed in accordance with section 115.281. No

1 application for an absentee ballot received in the office of the election authority by mail, by facsimile
2 transmission or by a guardian or relative after 5:00 p.m. on the Wednesday immediately prior to the
3 election shall be accepted by any election authority. No application for an absentee ballot submitted
4 by the applicant in person after 5:00 p.m. on the day before the election shall be accepted by any
5 election authority, except as provided in subsections 6, 8 and 9 of this section.

6 4. Each application for an absentee ballot shall be signed by the applicant or, if the
7 application is made by a guardian or relative pursuant to this section, the application shall be signed
8 by the guardian or relative, who shall note on the application his or her relationship to the applicant.
9 If an applicant, guardian or relative is blind, unable to read or write the English language or
10 physically incapable of signing the application, he or she shall sign by mark, witnessed by the
11 signature of an election official or person of his or her own choosing. Any person who knowingly
12 makes, delivers or mails a fraudulent absentee ballot application shall be guilty of a class one
13 election offense.

14 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who
15 resides outside the boundaries of the United States or who is on active duty with the armed forces of
16 the United States or members of their immediate family living with them may request an absentee
17 ballot for both the primary and subsequent general election with one application. (2) The election
18 authority shall provide each absent uniformed services voter and each overseas voter who submits a
19 voter registration application or an absentee ballot request, if the election authority rejects the
20 application or request, with the reasons for the rejection.

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

25 (4) Not later than sixty days after the date of each regularly scheduled general election for
26 federal office, each election authority which administered the election shall submit to the secretary of
27 state in a format prescribed by the secretary a report on the combined number of absentee ballots

transmitted to, and returned by, absent uniformed services voters and overseas voters for the election. The secretary shall submit to the Election Assistance Commission a combined report of such information not later than ninety days after the date of each regularly scheduled general election for federal office and in a standardized format developed by the commission pursuant to the Help America Vote Act of 2002. The secretary shall make the report available to the general public.

(5) As used in this section, the terms "absent uniformed services voter" and "overseas voter" shall have the meaning prescribed in 42 U.S.C. 1973ff-6.

6. An application for an absentee ballot by a new resident, as defined in section 115.275, shall be submitted in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or any authorized officer of the election authority, and in substantially the following form:

STATE OF..... COUNTY OF....., ss.

I,....., do solemnly swear that:

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

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

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

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

Signed

(Applicant)

1
 2

(Residence Address)

3 Subscribed and sworn to before me this day of,

4 Signed

5 (Title and name of officer authorized to administer oaths)

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

10 8. An application for an absentee ballot by an intrastate new resident, as defined in section
 11 115.275, shall be made in person by the applicant in the office of the election authority in the
 12 election jurisdiction in which such applicant resides. The application shall be received by the
 13 election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the
 14 form of an affidavit, executed in duplicate in the presence of the election authority or an authorized
 15 officer of the election authority, and in substantially the following form:

16

17 STATE OF COUNTY OF, ss.

18 I,, do solemnly swear that:

19 (1) Before becoming a resident of this election jurisdiction, I resided at
 20 (residence address) in (town, township, village or city) of
 21 county in the state of

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

23 (3) I believe I am entitled pursuant to the laws of this state to vote in the election to be held
 24 (date);

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

Signed

(Applicant)

.....

(Residence Address)

Subscribed and sworn to before me this day of,

Signed

(Title and name of officer authorized to administer oaths)

9. An application for an absentee ballot by an interstate former resident, as defined in section 115.275, shall be received in the office of the election authority where the applicant was formerly registered by 5:00 p.m. on the Wednesday immediately prior to the election, unless the application is made in person by the applicant in the office of the election authority, in which case such application shall be made no later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, the voter's voting address, and the voter's mailing address [and the voter's reason for voting an absentee ballot]. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in the election, that the voter has not previously voted and will not vote again in the election, that the voter has personally marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true. In addition, any person providing assistance to the absentee voter shall include a statement on the envelope identifying the person providing assistance under penalties of perjury. Persons authorized to vote only for federal and statewide officers shall also state their former Missouri residence.

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

State of Missouri County (City) of

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

..... absence on election day from the jurisdiction of the election authority in which I am
registered;

..... incapacity or confinement due to illness or physical disability, including caring for a person
who is incapacitated or confined due to illness or disability;

..... religious belief or practice;

..... employment as an election authority or by an election authority at a location other than my
polling place;

..... incarceration, although I have retained all the necessary qualifications for voting.

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 to
Signed	before me this day
Address of Voter	of,
.....
.....	
Mailing addresses	Signature of notary or

if different) 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.

(1) I am a resident of the state of Missouri and (check one):

..... am a member of the U.S. armed forces in active

service;

..... am an active member of the U.S. merchant marine;

..... am a civilian employee of the U.S. government working outside the United States;

..... am an active member of a religious or welfare organization assisting servicemen;

..... have been honorably discharged or terminated my service in one of the groups mentioned above within sixty days of this election;

..... am a spouse or dependent of one of the above;

..... am a registered voter in County and

moved from that county to County,

Missouri, after the last day to register to vote in

this election.

OR (check if applicable)

(2) I am 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 information on this statement is, to the best of my knowledge and belief, true.

..... Subscribed to and sworn

Signature of Voter before me this day

of,

.....

.....

Address of Voter Signature of notary or

other officer authorized

to administer oaths

.....

.....

Mailing Address (if different)

.....

.....

.....

Signature of Person Address of Last Assisting Voter

Missouri Residence

(if applicable)

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

State of Missouri County (City) of

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

..... absence on election day from the jurisdiction of the

election authority in which I am directed to

vote;

..... incapacity or confinement due to illness or physical

disability, including caring for a person who is

incapacitated or confined due to illness or

disability;

..... religious belief or practice;

..... employment as an election authority or by an

election authority at a location other than my

polling place;

..... incarceration, although I have retained all the

necessary qualifications of voting.

I hereby state under penalties of perjury] that I own property in the district and 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

and 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.

..... Subscribed and sworn to

Signature of Voter before me this

day of,

.....

.....

Address Signature of notary or

other officer authorized

to administer oaths

1

2 Signature of Person

3 Assisting Voter

4 (if applicable)

5 5. The statement for persons providing assistance to absentee voters shall be in substantially
6 the following form: The voter needed assistance in marking the ballot and signing above, because of
7 blindness, other physical disability, or inability to read or to read English. I marked the ballot
8 enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other
9 communication with the voter as to how he or she was to vote. The voter swore or affirmed the voter
10 affidavit above and I then signed the voter's name and completed the other voter information above.
11 Signed under the penalties of perjury.

12
13 Reason why voter needed assistance:

14 ASSISTING PERSON SIGN HERE

15 1. (signature of assisting person)

16 2. (assisting person's name printed)

17 3. (assisting person's residence)

18 4. (assisting person's home city or town).

19 6. Notwithstanding any other provision of this section, any resident of the state of Missouri
20 who resides outside the boundaries of the United States or who is on active duty with the armed
21 forces of the United States or members of their immediate family living with them or persons who
22 have declared themselves to be permanently disabled pursuant to section 115.284, otherwise entitled
23 to vote, shall not be required to obtain a notary seal or signature on his or her absentee ballot.

24 7. Notwithstanding any other provision of this section or section 115.291 to the contrary, the
25 subscription, signature and seal of a notary or other officer authorized to administer oaths shall not
26 be required on any ballot, ballot envelope, or statement required by this section if the reason for the
27 voter voting absentee is due to the reasons established pursuant to subdivision (2) of subsection 1 of

1 section 115.277.

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

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

7
8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.