

U.S. ELECTION ASSISTANCE COMMISSION



2010 Election Administration & Voting Survey

Missouri

Statutory Overview

In order to better understand state laws governing federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2010 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

| Information Supplied By | |
|-----------------------------------|--|
| Name | |
| Title | |
| Office/Agency Name | |
| Address 1 | |
| Address 2 | |
| City | |
| State | |
| Zip Code | |
| Email Address | |
| Telephone (area Code and number) | |
| Fax Number (area code and number) | |

DIRECTIONS AND EXAMPLE

Please provide your state's legal citation for the responses to these questions (where applicable). Prior to beginning the Statutory Overview, please ensure that "track changes" is turned on; this will provide a record of all changes that are made including insertions, deletions, and formatting changes. To turn on track changes hold down "Control" and "Shift" and "E" at the same time. For additional assistance in working with "track changes" please contact your Technical Assistance point of contact at ICF International.

We have provided you with your answers to the 2008 Statutory Overview. If there has not been a change in your State's laws or legal citation in the response to a question, please mark No Change Since 2008 with an "X" as shown below:

X No Change Since 2008

If the response has changed since 2008, please mark Changed Since 2008 with an "X" and modify the answer as needed using track changes. If you need to replace the entire answer, please delete the 2008 response and record your 2010 response between the red bracketed text lines, as described below.

X Changed Since 2008

Please answer each question to the best of your ability. If terms are ambiguous or not relevant, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference but is widely understood in practice, please explain. If election procedures vary at the local level within your state, please explain to the best of your ability.

If state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court, or executive decision, please specify.

Please keep your responses between the red, bracketed text lines. This will help us extract your answers into our central database.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

- a. Over-vote

[Begin definition (a) below this line.]

Your answer goes here. You may enter the text directly, or cut and paste from another word processing program.

There is no limit to the length of your response.

[End definition (a) above this line.]

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a. Over-vote

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (a) below this line.]

Not Defined

[End definition (a) above this line.]

b. Under-vote

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (b) below this line.]

Not Defined

[End definition (b) above this line.]

c. Blank ballot

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (c) below this line.]

Pursuant to 115.013 (2), "ballot" is defined as "the ballot card, paper ballot or ballot designed for use with an electronic voting system on which each voter may cast all votes to which he or she is entitled at an election."

[End definition (c) above this line.]

d. Void/Spoiled ballot

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (d) below this line.]

Pursuant to 115.447.2(3) a “spoiled ballot” is “any ballot accidentally spoiled by a voter and replaced by election judges in the manner provided in subsection 4 of section 115.439.” 115.439.4, RSMo states, “If the voter accidentally spoils his ballot or ballot card or makes an error, he may return it to an election judge and receive another. The election judge shall mark “SPOILED” across the ballot or ballot card and place it in an envelope marked “SPOILED BALLOTS”. After another ballot has been prepared in the manner provided in section 115.433, the ballot shall be given to the voter for voting.” Also, in jurisdictions using centrally based tabulators, if a ballot is determined to be damaged, a bipartisan team shall spoil the original ballot and duplicate the voter’s intent on the new ballot, provided there is an undisputed method of matching the duplicate card with its original after it has been placed with the remainder of the ballots from a precinct. See Section 115.456, RSMo.

[End definition (d) above this line.]

e. Provisional/Challenged ballot

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin definition (e) below this line.]

Pursuant to 115.430.2(1), RSMo: “A voter claiming to be properly registered in the jurisdiction of the election authority and eligible to vote in an election, but whose eligibility at that precinct cannot be immediately established upon examination of the precinct register, shall be entitled to vote a provisional ballot after providing a form of personal identification required pursuant to section 115.427 or upon executing an affidavit under section 115.427, or may vote at a central polling place as established in section 115.115 where the voter may vote his or her appropriate ballot for his or her precinct of residence upon verification of eligibility or vote a provisional ballot if eligibility cannot be determined. The provisional ballot provided to a voter under this section shall be the ballot provided to a resident of the voter’s precinct determined by reference to the affidavit provided for in this section. If the voter declares that the voter is eligible to vote and the election authority determines that the voter is eligible to vote at another polling place, the voter shall be directed to the correct polling place or a central polling place as established by the election authority pursuant to subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted if the voter was not eligible to vote at the polling place.”

[End definition (e) above this line.]

f. Absentee

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (f) below this line.]

Pursuant to 115.275(1) RSMo. an “absentee ballot” is defined as “any of the ballots a person is authorized to cast away from a polling place pursuant to the provisions of sections 115.275 to 115.304”

[End definition (f) above this line.]

g. Early voting

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (g) below this line.]

Missouri does not have early voting

[End definition (g) above this line.]

h. Active Voter

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (h) below this line.]

A registered voter who has not been designated as inactive under section 115.193. RSMo.

[End definition (h) above this line.]

i. Inactive Voter

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin definition (i) below this line.]

Section 115.193.5, RSMo, provides that “An election authority may designate any voter as an inactive voter if the election authority receives from the United States Postal Service notification that the voter no longer resides at the address last known to the election authority and no forwarding address is available, or the voter fails to respond to the notice authorized in subdivision (2) of subsection 1 of this section [NVRA confirmation notice] within thirty days after the election authority sends such notice. Such voter may be designated as an inactive voter only until:

- (1) The voter returns such notice to the election authority;
- (2) The voter provides the election authority with his or her new address pursuant to the provisions of this chapter;
- (3) The voter provides a written affirmation that the voter has not changed residence; or
- (4) The election authority receives sufficient information to remove the voter from the list of registered voters pursuant to this section or section 115.165, or return the voter to the active list of registered voters in jurisdiction.”

[End definition (i) above this line.]

j. Other terms (please specify) _____

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Identify each TERM and definition separately and begin below this line.]

[End TERM(s) and definition(s) above this line.]

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. “Significant” does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

 No Change Since 2008 X Changed Since 2008

2008 Response:

[Begin response to above question (A2) below this line]

See Section E2 relating to statutory changes made to implement the federal MOVE Act.

[End response to above question (A2) above this line.]

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (B1) below this line.]

Top-down system

[End response to above question (B1) above this line.]

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above clarification question to B1 below this line.]

[End response to above clarification question to B1 above this line.]

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (B2) below this line.]

Section 115.193.5, RSMo, provides that "An election authority may designate any voter as an inactive voter if the election authority receives from the United States Postal Service notification that the voter no longer resides at the address last known to the election authority and no forwarding address is available, or the voter fails to respond to the notice authorized in subdivision (2) of subsection 1 of this section [NVRA confirmation notice] within thirty days after the election authority sends such notice. Such voter may be designated as an inactive voter only until:

- (1) The voter returns such notice to the election authority;
- (2) The voter provides the election authority with his or her new address pursuant to the provisions of this chapter;
- (3) The voter provides a written affirmation that the voter has not changed residence; or
- (4) The election authority receives sufficient information to remove the voter from the list of registered voters pursuant to the section or section 115.165, or return the voter to the active list of registered voters in the jurisdiction.”

Missouri law does not provide a different process for UOCAVA voters.

[End response to above question (B2) above this line.]

B3. Please describe your state’s process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (B3) below this line.]

Section 115.193.1, RSMo, provides that “Upon completion of a canvass as provided for in this chapter, a registered voter’s name shall not be removed from the list of registered voters on the ground that the voter has changed residence unless;

- (1) the voter confirms in writing that the voter has changed residence to a place outside the election authority’s jurisdiction in which the voter is registered; or
- (2) the voter fails to respond to a notice described in the section [NVRA confirmation notice] and has not voted in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.”

Section 115.199, RSMo, states that “[e]ach election authority shall remove from its registration records the names of voters reported dead or adjudged incapacitated and shall determine the voting qualifications of those reported convicted or pardoned.”

See also, Sections 115.158.2 and 115.158.4, RSMo.

Missouri law does not provide a different procedure for UOCAVA voters.

[End response to above question (B3) above this line.]

B4. Can your state’s voter registration database (or equivalent) share information electronically with your state’s drivers license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (B4) below this line.]

Yes

The Missouri voter registration database, the Social Security Administration database, the decedent tables from Missouri Department of Health and Senior Services and the list of the convicted felons from Missouri Department of Corrections.

[End response to above question (B4) above this line.]

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (B5) below this line.]

The Missouri Secretary of State used the NCOA to cross-reference the state's voter registration system and identify those registered voters that had moved but not yet updated their address with their local election authority. The SOS office then sent a voter registration application to those individuals to use to update their registration address. Also, state law (sections 115.179 and 115.181, RSMo) allows the NCOA to be used as part of the canvass of registration records in an election authority's jurisdiction.

[End response to above question (B5) above this line.]

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (B6) below this line.]

Pursuant to 115.133, RSMo, any registered voter who was convicted of a felony is automatically entitled to vote upon discharge from probation or parole unless the conviction is connected with the right of suffrage.

[End response to above question (B6) above this line.]

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (B7) below this line.]

The Missouri Secretary of State provides information on the Internet describing where voter registration applications may be found. The office also provides a fillable pdf version of the state's voter registration application online which must be printed, signed, and mailed.

[End response to above question (B7) above this line.]

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (a) below this line.]

Absentee ballots (in-person and mail) are tabulated at the central location. Provisional ballots are tabulated at the central location but are not counted if the ballots are not cast in the proper polling place.

[End response to above question (a) above this line.]

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (b) below this line.]

Each jurisdiction does it differently.

[End response to above question (b) above this line.]

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (c) below this line.]

Each jurisdiction does it differently

[End response to above question (c) above this line.]

d. How are UOCAVA ballots counted and reported?

__X__ No Change Since 2008 _____ Changed Since 2008

2008 Response:

[Begin response to above question (d) below this line.]

UOCAVA ballots are tabulated as absentee ballots.

[End response to above question (d) above this line.]

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

__X__ No Change Since 2008 _____ Changed Since 2008

2008 Response:

[Begin response to above question (C2) below this line.]

Pursuant to 115.277, RSMo, any registered voter of this state may vote by absentee ballot for all candidates and issues for which such voter would be eligible to vote at the polling place if such voter expects to be prevented from going to the polls to vote on election day due to:

- (1) Absence on election day from the jurisdiction of the election authority in which such voter is registered to vote;
- (2) Incapacity or confinement due to illness or physical disability, including a person who is primarily responsible for the physical care of a person who is incapacitated or confined due to illness or disability.
- (3) Religious belief or practice
- (4) Employment as an election authority, as a member of an election authority, or by an election authority at a location other than such voter's polling place;
- (5) Incarceration, provided all qualifications for voter are retained.

[End response to above question (C2) above this line.]

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

__X__ No Change Since 2008 _____ Changed Since 2008

2008 Response:

[Begin response to above question (C3) below this line.]

Missouri only provides for in-person absentee voting, not early voting

[End response to above question (C3) above this line.]

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (C4) below this line.]

Pursuant to 115.652, a mail-in election shall not be conducted unless:

- (1) The officer or agency calling the election submits a written request that the election be conducted by mail. Such requests shall be submitted not later than the date specified in section 115.125 for submission of the notice of election and sample ballot;
- (2) The election authority responsible for conducting the election authorizes the use of mailed ballots for the election;
- (3) The election is nonpartisan;
- (4) The election is not one at which any candidate is elected, retained or recalled; and
- (5) The election is an issue election at which all the qualified voters of any one political subdivision are the only voters eligible to vote.

[End response to above question (C4) above this line.]

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (C5) below this line.]

Pursuant to 115.430, RSMo, voters are allowed to cast provisional ballots in the following situations:

- (1) The voter is not in the precinct register and the election office was called but no record was found;
- (2) The voter is not in the precinct register and the election judge could not contact the election office by phone;
- (3) The voter requests an absentee ballot but the voter's eligibility cannot be established by examination of the precinct register or the Missouri Centralized Voting System; or
- (4) The voter was determined to be eligible at another polling place and was directed to the correct or central polling place but the voter refused to go to that location

[End response to above question (C5) above this line.]

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (C6) below this line.]

Pursuant to 115.430, RSMo, provisional ballots shall be counted if the voter cast such provisional ballot at a polling place where the voter is eligible to vote or the central polling place established by the election authority.

[End response to above question (C6) above this line.]

C7. Please describe your state's laws regarding post-election audits, if any.

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (C7) below this line.]

Pursuant to 115.479, RSMo, in each jurisdiction using an electronic voting system, the election authority shall, after the count has been completed and the results received, have the automatic tabulating equipment tested to ascertain that the equipment has correctly counted the votes for all offices and on all questions. The test shall be observed by at least two persons designated by the election authority, one from each major political party, and shall be open to the public. The test shall be conducted by the processing the same preaudited group of ballot cards used in the pre-election test provided for in section 115.233. If any error is detected, the cause shall be ascertained and corrected, and an errorless count shall be made before the final results are announced. After the completion of an errorless count, the programs and the ballot cards shall be sealed, retained and disposed of as provided for the paper ballots.

Pursuant to 15 CSR 30-10.160 (7), prior to certification of the election results, the accuracy certification team(s) shall tabulate the same set of votes used in the pre-election internal logic and accuracy test performed pursuant to 15 CSR 30-10.140(6)(C) on each memory component used at the polling locations to tabulate voters on DREs and Precinct Counters. This section shall not apply to any memory component on which election results are stored.

(A) If the results are not identical to those produced in the pre-election test for any memory component, the team shall not certify that the unit in which that component was used was operating properly.

(1) In the case of a Precinct Counter, the necessary corrections shall be made to the program until the results are identical and the ballots cast on the Precinct Counter in which the memory component was used shall be retabulated and the consolidated results corrected accordingly.

(2) In the case of a DRE, the paper cast vote records produced by the unit in which the memory component was used shall be hand counted and the consolidated results corrected accordingly.

(B) If the results are identical, the team shall certify that the unit was operating properly.
15 CSR 30-10.110 Voting Machines (Electronic) – Manual Recount

(1) Definitions

(A) County – whenever the word county is used in this rule, it includes the cities of St. Louis and Kansas City.

(B) Precinct – the election authority, as his/her discretion, may consider polling sites containing more than one (1) precinct to be counted as a single precinct for all purposes of this rule.

(2) Prior to the certification of the election results, the accuracy certification team shall randomly select not less than five (5) percent of all election precincts through the use of a random drawing, but not less than one (1) precinct, in order to conduct a manual recount of selected contested races and ballot issues in the selected precinct(s). Random selection of the precincts shall be open to any member of the public, and the election authority shall notify the public of the time and place of the selection process no later than 48 hours prior to the beginning of the selection process by posting a notice in a prominent place which is easily accessible to the public and clearly designed for the purpose at the principal office of the election authority.

(3) Recount of the randomly selected precinct(s) shall be conducted in the following manner:

(A) The election authority shall select not less than one (1) manual recount team made up of not less than two (2) persons selected from lists as outlined in 15 CSR 30-10.040(6) except when an election authority is a board of election commissioners, the election authority may designate person of its own choosing. Each person so appointed shall have the qualifications of and take the oath of office prescribed for election judges in section 115.091, RSMo. The election authority may utilize the accuracy certification team selected in 15 CSR 30-10,040;

(B) For the selected precinct(s), the manual recount team shall unseal the appropriate ballot containers and manually recount certain randomly selected contested races and ballot issues; and

(C) One (1) contested race or ballot issue to be manually recounted shall be randomly selected from each of the following categories, where applicable:

1. Presidential and Vice-Presidential electors. United States senate candidates and state-wide candidates;

2. State-wide ballot issues;

3. United States representative candidates and state general assembly candidates;

4. partisan circuit and associate circuit judge candidates and all nonpartisan judicial retention candidates; and

5. In addition to the candidates and issues previously listed, the manual recount team shall select not the less than one contested race or ballot issue from all political subdivisions and special districts, including the county in the selected precinct(s).

6. In addition to the candidates and issues previously listed, the manual recount team shall select all races in which the margin of victory between the two top candidates is equal to or less than one-half of one percent of the number of votes cast for the office or issue.

(4) If the results of the manual recount of the selected races and ballot issues differs by more than one-half of one percent from the results of the electronically tabulated vote results, the manual recount team shall immediately notify the election authority, who shall investigate the causes of any discrepancy and resolve any discrepancies prior to the date of certification set forth in section 115.507, RSMo.

(5) The secretary of state, at his/her sole discretion, and upon the showing of good cause by an election authority not less than three (3) weeks prior to the date of an election, may waive the manual recount requirement for any political subdivision or special district holding an election on the election date.

(6) Upon completed of the manual recount, the manual recount team shall reseal the ballots and other support materials in the appropriate containers. The results of the manual recount shall be reported on certificates provided by the secretary of state. One (1) copy shall be filed with the secretary of state within four (4) weeks of the election date and one (1) copy shall be filed with the public records of the election.

(7) The secretary of state may make grant funds available to reimburse election authorities for the cost of conducting manual recounts under subsections (2) and (3)(C)(6) of this rule.

[End response to above question (C7) above this line.]

C8. Please describe any state requirements for poll worker training.

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (C8) below this line.]

Pursuant to Section 115.103, RSMo, local election authorities have the responsibility for establishing training courses for election judges, and these courses shall include substantially the curriculum developed by the Secretary of State's office.

[End response to above question (C8) above this line.]

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (D1) below this line.]

Missouri's election authorities are not required by statute to report over votes or under votes.

[End response to above question (D1) above this line.]

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (a) below this line.]

Persons who register to vote in person before the election authority or deputy registrar must identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification. Section 115.135.2, RSMo. The forms of personal identification include all of acceptable forms of ID that may be presented at the polls. Persons who register to vote by mail are not required to submit identification at the time application, but must present identification prior to voting. See, Sections 115.155, and 115.427, RSMo.

[End response to above question (a) above this line.]

b. casting an in-person ballot;

☒ **No Change Since 2008** ☐ **Changed Since 2008**

2008 Response:

[Begin response to above question (b) below this line.]

Pursuant to 115.427.1, RSMo, before receiving a ballot, voters shall identify themselves by presenting a form of personal identification from the following list:

- (1) Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;
- (2) Identification issued by the United State government of agency thereof;
- (3) Identification issued by an institution of higher education, including a university, college, vocational and technical school located within the state of Missouri;
- (4) A copy of a current utility bill, bank statement, government check, paycheck or other government document that contains the name and address of the voter;
- (5) Driver's license of state identification card issued by another state. Personal knowledge of the voter by two supervising election judges, one from each major political party, shall be acceptable voter identification upon the completion of secretary of state-approved affidavit that is signed by both supervisory election judges and the voter that attests to the personal knowledge of the voter by the two supervisory election judges.

[End response to above question (b) above this line.]

c. casting a mail-in or absentee vote;

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (c) below this line.]

No identification is required to vote by absentee ballot except, pursuant to 115.159.2, RSMo, voters requesting an absentee ballot by mail who have registered by mail and have not voted in person are required to submit a copy of their personal identification unless they provided a copy with their registration application. Examples of acceptable identification are described in 115.427, RSMo. Persons who are not exempted from obtaining a notary seal or signature on their absentee ballot are required to present personal identification to the notary.

[End response to above question (c) above this line.]

d. casting a ballot under UOCAVA;

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (d) below this line.]

No identification is required

[End response to above question (d) above this line.]

e. any other stage in registration or voting process in which identification is required (please specify).

 X **No Change Since 2008** **Changed Since 2008**

2008 Response:

[Begin response to above question (e) below this line.]

[End response to above question (e) above this line.]

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

 X **No Change Since 2008** **Changed Since 2008**

2008 Response:

[Begin response to above question (D3) below this line.]

Section 115.409, RSMo, provides that “[e]xcept election authority personnel, election judges, watchers and challengers appointed pursuant to section 115.105 or 115.107, law enforcement officials at the request of election officials or in the line of duty, minor children under the age of eighteen accompanying an adult who is the process of voting, international observers who have registered as such with the election authority, persons designated by the election authority to administer a simulated youth election for persons ineligible to vote because of their age, members of the news media who present identification satisfactory to the election judges and who are present only for the purpose of bona fide news coverage except as provided in subdivision (18) of section 115.637, provided that such coverage does not disclose how any voter cast the voter’s ballot on any question or candidate or in the case of a primary election on which party ballot they voted or does not interfere with the general conduct of the election as determined by the election judges or election authority, and registered voters who are eligible to vote at the polling place, no person shall be admitted to the polling place.”

[End response to above question (D3) above this line.]

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (E1) below this line.]

No revisions have occurred

[End response to above question (E1) above this line.]

E2. The Military and Overseas Voter Empowerment Act (MOVE) was signed into law on October 22, 2009. The MOVE Act contains, among other things, provisions regarding States' methods of communication with UOCAVA voters and UOCAVA ballot transmission.

Please describe your State's processes and procedures for implementing MOVE (including any changes in your State's laws or regulations) as they relate to:

- Protecting the security and integrity of the voter registration and ballot application process, the privacy and personal information of the voter, and absentee ballots. (Sect. 577, 578)
- Designating a means of electronic communication for all voting-related materials to UOCAVA voters. (Sect. 577)
- Establishing a ballot tracking mechanism to allow voters to determine whether their ballots were received by the appropriate election official. (Sect. 580(d))

Also, please describe your State's plans to capture data related to the number of registration applications, ballot applications, and blank ballots transmitted to UOCAVA voters via mail and electronic means (Internet, email, fax) *and* the number of registration applications, ballot applications, and completed ballots returned by UOCAVA voters via mail and electronic means (Internet, email, fax).

This question was not asked in 2008. Please provide your answer below.

[Begin response to above question (E2) below this line.]

Missouri law was amended to mirror The MOVE Act.

New sections added or amended in Missouri laws relating to the MOVE Act are: sections 115.156, 115.278, 115.279, 115.281, 115.287, 115.291 and 115.292, RSMo.

- Encrypted state secure electronic transmission
- Encrypted state secure electronic transmission
- UOCAVA voter can call an 800 number provided or e-mail a tracking request

- Data is required to be captured through our statewide database and will be reported by local election authorities.

[End response to above question (E2) above this line.]

E3. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

 X No Change Since 2008 Changed Since 2008

2008 Response:

[Begin response to above question (E3) below this line.]

[End response to above question (E3) above this line.]

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 5/31/2013). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2010 Election Administration and Voting Survey, 1201 New York Avenue, Suite 300, Washington, DC 20005.