

SENATE BILL NO. 408

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

0034S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 115.295, RSMo, and to enact in lieu thereof one new section relating to rejected absentee ballots.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 115.295, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 115.295,
3 to read as follows:

115.295. 1. As each absentee ballot is received by
2 the election authority, the election authority shall
3 indicate its receipt on the list.

4 2. **(1)** If the statements on any ballot envelope have
5 not been completed, **the voter has failed to sign the oath,**
6 **the signature does not appear to be valid, the oath has not**
7 **been verified as provided by law, the absentee ballot has**
8 **been rejected for any other reason provided by law, or if**
9 **the voter is otherwise found disqualified to vote,** the
10 absentee ballot in the envelope shall be rejected **and the**
11 **election authority shall write across the face of the**
12 **envelope "Rejected", giving the reason therefor.**

13 **(2)** The election authority shall promptly notify the
14 voter of such rejection, the procedure for curing the
15 ballot, and the deadline for curing the ballot. A copy of
16 the notification shall be retained in the files of the
17 election authority for at least two years.

18 (3) A voter notified that his or her ballot was
19 rejected shall have until the end of the period for
20 verifying provisional ballots as provided by law to cure the
21 ballot.

22 (4) The voter may cure a failure to complete a
23 statement on the ballot envelope, to sign the oath, an
24 invalid signature, or to have the signature verified in the
25 manner provided by law by submitting an affidavit to the
26 election authority, along with a copy of one of the forms of
27 identification required by law, before the deadline. The
28 affidavit shall affirm that the ballot was submitted by the
29 voter, is the voter's ballot, and that the voter is
30 registered and qualified to vote in the election in question.

31 (5) Provided that the voter is qualified to vote or
32 has cured any disqualification as provided by law for voters
33 casting provisional ballots, if the election authority finds
34 the affidavit and identification to be sufficient, the
35 absentee ballot shall be counted.

36 3. All ballot envelopes received by the election
37 authority shall be kept together in a safe place and shall
38 not be opened except as provided in this subchapter.

✓