

14-HJR 90



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JASON KANDER  
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STATE OF MISSOURI

ELECTIONS DIVISION  
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May 30, 2014

**RECEIVED**

**MAY 30 2014**

**STATE AUDITORS OFFICE**

The Honorable Tom Schweich  
State Auditor  
State Capitol Building  
Jefferson City, MO 65101

RE: Fiscal Note and Fiscal Note Summary Request for Senate Substitute for Senate  
Committee Substitute for House Committee Substitute for House Joint Resolution No. 90

Dear Mr. Schweich:

Enclosed please find a copy of Senate Substitute for Senate Committee Substitute for House  
Committee Substitute for House Joint Resolution No. 90 that was received by our office.

We are referring the enclosed joint resolution to you for the purposes of preparing a fiscal note  
and fiscal note summary in accordance with Sections 116.160.1, 116.170 and 116.175, RSMo.  
As you are aware, the fiscal note and fiscal note summary are required to be forwarded by you to  
our office within thirty days of receipt of the joint resolution, pursuant to Section 116.170,  
RSMo.

Thank you for your immediate consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Jason Kander".

Jason Kander  
Secretary of State

cc: Chris Koster  
Sheri Hoffman  
Barbara Wood

K1-HJR 90

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE JOINT RESOLUTION NO. 90**  
**97TH GENERAL ASSEMBLY**

6542S.07T

2014

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**JOINT RESOLUTION**

Submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, by adding thereto one new section relating to early voting.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next  
2 following the first Monday in November, 2014, or at a special election to be called by the  
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for  
4 adoption or rejection, the following amendment to article VIII of the Constitution of the state of  
5 Missouri:

Section A. Article VIII, Constitution of Missouri, is amended by adding thereto one new  
2 section, to be known as section 11, to read as follows:

**Section 11. 1. Qualified voters of the state shall be entitled to vote in person or by  
2 mail in advance of the day of the general election, but only under the following  
3 subdivisions:**

4 **(1) Qualified voters casting ballots under this section shall have been registered to**  
5 **vote, unless otherwise provided by law, on or before the fourth Wednesday prior to the day**  
6 **of the election;**

7 **(2) No qualified voter shall be required to state any reason, excuse, or explanation**  
8 **for casting a ballot under this section;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.



9           (3) Ballots shall be cast in person or by mail only during the six business days, not  
10 to include Saturday or Sunday, immediately prior to and including the last Wednesday  
11 prior to the election day. In-person ballots shall be cast at the local election authority  
12 during its regular business hours;

13           (4) Each local election authority shall appoint at least one election judge from each  
14 major political party to serve at the site of the local election authority. Procedures for  
15 appointing judges, casting ballots, and tabulating ballots shall be the same as provided by  
16 general election laws.

17           2. No local election authority or other public official shall, in advance of the day of  
18 the election, disclose the identity of any qualified voter who, in advance of the day of the  
19 election, has cast or has not cast a ballot, unless the qualified voter has authorized the  
20 disclosure. A qualified voter's authorization must be in writing, signed by the qualified  
21 voter, dated, and delivered to the secretary of state no later than the sixth Wednesday prior  
22 to the day of the election. An authorization is effective only for one general election.

23           3. If any local election authority is required by any provision of law or of this  
24 constitution to produce, in advance of the day of the election, a list of qualified voters who  
25 have already cast ballots, such list shall designate those qualified voters who have not filed  
26 a valid written authorization under subsection 2 of this section by using a random  
27 designation that does not identify those qualified voters or provide residential or other  
28 personal information from which their identities might be determined. If any such list is  
29 required to be delivered promptly after a request, the list shall be deemed to have been  
30 promptly delivered if it is delivered no later than 5:00 p.m. on the Monday before the  
31 election day. In addition to the restrictions in this section on the provision of identifying  
32 information, any such list shall include only qualified voter information authorized to be  
33 disclosed pursuant to general election laws.

34           4. The secretary of state and local election authorities shall provide qualified voters  
35 mail-in ballots under this section only by mail, and only upon the written, signed, and  
36 dated request of a qualified voter. Such request shall be valid for only one general election.  
37 No qualified voter shall receive more than one mail-in ballot.

38           5. No local election authority or other public office shall conduct any activity or  
39 incur any expense for the purpose of allowing voting in person or by mail in advance of the  
40 general election day unless a state appropriation is made and disbursed to pay the local  
41 election authority or other public office for the increased cost or expense of the activity.

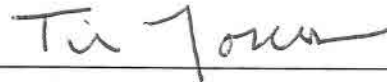
42           6. The provisions of this section shall be self-executing. Any law that conflicts with  
43 this section shall not be valid or enforceable. If any provision of this section is found by  
44 a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the

45 remaining provisions of this section shall be and remain valid. Nothing in this section shall  
46 be deemed to repeal or invalidate section 7 of article VIII of this constitution or to repeal  
47 or invalidate general laws permitting certain qualified voters to cast absentee ballots. This  
48 section shall not be repealed or invalidated by constitutional amendment, in whole or in  
49 part, unless the text of the amending provision expressly references this section or the parts  
50 thereof that are to be repealed, and no part of this section shall be repealed by implication.

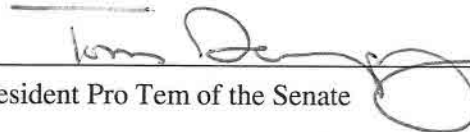
Section B. Pursuant to chapter 116 and other applicable constitutional provisions and  
2 laws of the this state allowing the general assembly to adopt ballot language for the submission  
3 of this joint resolution to the voters of this state, the official summary statement of this resolution  
4 shall be as follows:

5 "Shall the Missouri Constitution be amended to permit voting in person or by  
6 mail for a period of six business days prior to and including the Wednesday  
7 before the election day in all general elections?"

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Speaker of the House

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President Pro Tem of the Senate