

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR

SENATE JOINT RESOLUTION NO. 2

96TH GENERAL ASSEMBLY

2011

0282L.05T

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting four new sections relating to elections.

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
2 Tuesday next following the first Monday in November, 2012, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article VIII of the Constitution of the state of Missouri:

Section A. Article VIII, Constitution of Missouri, is amended by adding
2 four new sections, to be known as sections 8, 9, 10, and 11, to read as follows:

**Section 8. Qualified electors of the state may be enabled by
2 general law to vote in person in advance of election day at all elections
3 by the people according to the following terms:**

4 **1. Advance voting may be permitted from the third Saturday
5 before the election until the first Tuesday before the election excluding
6 Sundays.**

7 **2. Advance voting may be conducted at such locations as are
8 determined by general law to be necessary or desirable to balance
9 reasonable access to advance voting, accountability, integrity, and
10 security of the election, efficiency in the administration of the election,
11 and appropriate and responsible uses of public funds and other
12 resources. The number of advance voting sites may vary depending on
13 expected voter turnout for an election. A general law that requires
14 election authorities to establish a certain number of advance voting
15 sites based solely on the number of registered voters in an election**

16 jurisdiction conflicts with this subsection and is not valid.

17 3. If a voter identification requirement is provided by general
18 law for in-person voting on election day, persons who desire to vote in
19 advance of election day shall also comply with that identification
20 requirement.

21 4. The name and other identifying information of persons who
22 vote in advance of the election shall be treated confidentially by
23 election officials and lists of persons who have voted in advance shall
24 not be disclosed to members of the public by election officials during
25 the advance voting period, except as necessary for the administration
26 of the election, for law enforcement, or to comply with a court order
27 requiring disclosure for good cause shown. Election officials may
28 disclose lists with the names or other identifying information for
29 persons who have voted in advance of the election to the public after
30 the advance voting period has closed. This section does not prohibit
31 election officials, election judges, challengers, watchers, or any other
32 member of the public from observing or participating in the election
33 process. This section does not alter or effect any change in the
34 provisions of section 3 of this article relating to nondisclosure of how
35 any voter voted and the exceptions thereto.

36 5. This section shall not apply to absentee voting laws authorized
37 by section 7 of this article.

38 6. Any law that conflicts with this section shall not be valid or
39 enforceable.

40 7. This section is not self-executing. Implementing general laws
41 shall be required before any person may vote in advance of an election.
42 In order to allow election authorities sufficient time to prepare for
43 advance voting if authorized by general law, advance voting shall not
44 be effective for any election held on or before January 1, 2014.

 Section 9. A person seeking to vote in person in public elections
2 may be required by general law to identify himself or herself and verify
3 his or her qualifications as a citizen of the United States of America
4 and a resident of the state of Missouri by providing election officials
5 with a form of identification, which may include requiring valid
6 government-issued photo identification. Exceptions to the
7 identification requirement may also be provided for by general law.

8 Section 10. Different requirements for absentee voting when the

9 voter does not appear before the election authority may be established
10 by general law as may be necessary or desirable in order to
11 accommodate the different purposes and administration requirements
12 of this method of voting.

Section 11. If any portion, clause, or phrase of sections 8, 9, and
2 10 of this article is, for any reason, held to be invalid or
3 unconstitutional by a court of competent jurisdiction, the remaining
4 portions, clauses, and phrases shall be invalid and of no further force
5 or effect.

Section B. The official ballot title for section A of this act shall read as
2 follows:

3 "Shall the Missouri Constitution be amended to adopt the Voter Protection
4 Act and allow the General Assembly to provide by general law for advance voting
5 prior to election day, voter photo identification requirements, and voter
6 requirements based on whether one appears to vote in person or by absentee
7 ballot?".

Bill ✓

Copy