

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 3—Voter Identification

15 CSR 30-3.010 Voter Identification Affidavit (rescind)

15 CSR 30-3.020 Provisional Ballots and Envelopes for Registered Voters under Voter Identification Law

(1) The secretary of state shall produce one (1) size of envelope for provisional ballots for registered voters casting a provisional ballot under section 115.427.2(3) or 115.427.4, RSMo (“voter ID provisional ballot”) and distribute them to each election authority.

(A) The envelope shall be fourteen and one-half inches by nine and one-fourth inches (14 1/2" × 9 1/4"). All envelopes for voter ID provisional ballots shall be printed on a color of paper distinguishable from the provisional ballot envelope provided under section 115.430 and 15 CSR 30-8.010.

(B) The envelope shall include the following:

1. Spaces for the voter’s full name, residential and mailing address, date of birth, last four digits of his or her Social Security Number, and optional daytime telephone number;
2. A statement for the voter to read setting forth the requirement for his or her vote to be counted under subsection 4 of section 115.427;
3. A space for the voter’s signature and the date; and
4. A section to be completed by election judges stating that the voter was allowed to cast a voter ID provisional ballot, with the printed name of the voter, election date, polling place number, and the signatures of the election judges.

(2) A voter ID provisional ballot shall be provided to a voter if the following requirements are met:

(A) The voter:

1. Does not present a form of identification set forth in subsection 1 of section 115.427, RSMo or a form of identification set forth in subsection 2 of section 115.427, RSMo; or
2. Presents one of the forms of identification set forth in subsection 2 of section 115.427, RSMo, but chooses not to execute the statement as set forth in subsection 3 of section 115.427; and

(B) The election judge examines the precinct register and determines the voter is otherwise eligible to vote; and

(C) The voter provides the information and signs the statement on the envelope for voter ID provisional ballot (“voter ID provisional ballot envelope”).

(3) The election judges shall witness the signature of the voter affirming the information and statement on the voter ID provisional ballot.

(4) Once the voter ID provisional ballot is voted, it shall be placed in a voter ID provisional ballot envelope and sealed. The sealed envelope shall be placed in the area designated for such envelopes.

AUTHORITY: section 115.427, RSMo 2016

15 CSR 30-3.030 Procedures for Voters Returning to the Polling Place with Identification

(1) If a voter that completed a photo ID provisional ballot and envelope returns to the polling place during the uniform polling hours established by section 115.407 and provides a form of identification set forth in subsection 1 of section 115.427, RSMo, one of the following procedures shall be followed, at the choice of the election authority:

(A) The election judges may retrieve the identified voter's provisional ballot for registered voter ("voter ID provisional ballot") envelope, hand it to the voter, who opens it and returns the empty envelope to the election judge, and then casts his or her ballot as a regular ballot by placing it in a precinct counter or regular ballot box; or

(B) The election judges may complete and sign a document identifying the voter, stating the voter returned with the required form of identification, and place that document with the sealed voter ID provisional ballots for processing as provided in 15 CSR 30-3.040; or

(C) Some other method as determined by the election authority so long as the method:

1. Satisfactorily documents that the voter returned to the polling place during uniform hours with the required identification;
2. Counts the ballot in accordance with the rules governing ballot tabulation;
3. Ensures the photo ID provisional ballot envelope or a copy of the envelope is marked as accepted or rejected and the basis for acceptance or rejection is stated on the envelope or a copy of the envelope; and
4. Ensures a voter casts only one ballot.

(2) If the method in subsection (A) of section (1) of this rule is used, the election authority shall ensure that the voter ID provisional ballot envelope is marked as to the reason the ballot was counted and is retained as ballot material.

AUTHORITY: section 115.427, RSMo 2016

15 CSR 30-3.040 Procedures for Identity Verification for Provisional Ballots for Registered Voters under Voter Identification Law, Counting Approved Ballots, and Recordkeeping

(1) Except for voters returning to the polling place with a form of identification set forth in subsection 1 of section 115.427, RSMo, who may be allowed to then cast a regular ballot pursuant to 15 CSR 30-3.030, provisional ballots for registered voters casting a provisional ballot under section 115.427.2(3) or 115.427.4, RSMo (“voter ID provisional ballot”) shall be processed and counted in the following manner:

(A) the identity of the person completing the voter ID provisional ballot envelope shall be verified according to the requirements of subsection 4 of section 115.427, RSMo (“identity verification”);

(B) upon the election authority’s determination whether the voter’s identity is verified, each provisional envelope (or a photocopy of same) shall be marked “rejected” or “accepted,” with reason for rejection or acceptance noted;

(C) after identity verification, accepted voter ID provisional ballot envelopes shall be kept separate from rejected voter ID provisional ballot envelopes;

(D) rejected voter ID provisional ballot envelopes shall remain sealed and the ballot not counted;

(E) accepted voter ID provisional ballot envelopes shall be opened and the ballots counted, ensuring:

1. the counting of voter ID provisional ballots is done by a bipartisan team;
2. a voter’s ballot selections remain private;
3. accepted ballots are counted in accordance with the rules governing ballot tabulation;
4. the vote is tallied and the returns made as provided in sections 115.447 to 115.525, RSMo, for paper ballots.

(F) voter ID provisional envelopes and ballots and the processing of same must be properly accounted for through recordkeeping;

(2) A local election authority may choose to follow procedures substantially similar to those followed for processing regular provisional ballots set forth in section 115.430 and 15 CSR 30-8.020, but is not required to do so, as long as the process meets the requirements of section (1)(A) through (F) of this rule, and sections (3), (4) and (5) of this rule.

(3) After the votes on all accepted voter ID provisional ballots have been counted, the approved ballots, ballot envelopes (and, if applicable, copies of ballot envelopes) with the identity verification information and determination provided by the election authority shall be enclosed in sealed containers marked “voted voter ID provisional ballots and ballot envelopes from the election held _____, 20____.” All rejected voter ID provisional ballots, ballot envelopes and copies of ballot envelopes (and, if applicable, copies of ballot envelopes) with the identity verification information and determination provided by the election authority shall be enclosed in sealed containers marked “rejected voter ID provisional ballots and ballot envelopes from the election held _____, 20____.” On the outside of each voted ballot and rejected ballot container, each

member of the bi-partisan team shall write their name, and all such containers shall be returned to the election authority. Upon receipt of the returns and ballots, the election authority shall tabulate the voter ID provisional vote.

(4) The local election authority shall record on a voter ID provisional ballot acceptance/rejection list the voter ID provisional ballot identification number and a notation marking it as accepted or rejected.

(5) The certificate of ballot cards shall:

(A) Reflect the number of voter ID provisional ballot envelopes delivered;

(B) Reflect the number of sealed voter ID provisional envelopes with voted ballots counted.

AUTHORITY: section 115.427, RSMo 2016.

15 CSR 30-3.050 Voter Inquiries as to Whether Provisional Ballot for Registered Voter was Counted

(1) Provisional ballot envelopes provided by the secretary of state's office for registered voters casting a provisional ballot under section 115.427.2(3) or 115.427.4, RSMo, (voter ID provisional ballots) will have a tear away section containing a unique identification number and a toll free phone number.

(2) Individuals who cast voter ID provisional ballots may, after the election results have been certified, call the toll free phone number provided to them on the tear away section of their provisional ballot envelope. This toll free phone number will be maintained and operated by the secretary of state's office. Only individuals who have cast provisional ballots are permitted to use this service to verify the status of their own provisional ballot.

(3) Upon receiving calls from provisional voters on the toll free provisional ballot inquiry line, the secretary of state's office shall transfer the call to the appropriate local election authority.

(4) The local election authority shall, using the provisional voter's unique provisional voting identification number from the tear away section of the provisional ballot envelope, inform the voter of whether or not their provisional ballot was counted or rejected.

AUTHORITY: section 115.427, RSMo 2016.