



Helping Voters Register Under Missouri Law

Important: Voter registration drives in Missouri have to follow certain state laws and rules, such as a deadline for turning in applications the drive collects and special rules that apply when canvassers are paid. It is important to review **all** relevant information regarding voter registration drives before beginning a voter registration program.

About this guide: The guide is broken up into five parts: 1) Eligibility, 2) Frequently Asked Eligibility/Residency Questions, 3) Filling out an Application, 4) Voter Registration Deadline, and 5) Voter Registration Drive Rules. Voter Registration Drive laws and rules are often more complicated than the summary table used for quick reference, so, if appropriate, a more detailed explanation is below the table. Sometimes the detailed explanation may not answer all the questions. Therefore, as a best practice, Project Vote recommends that voter registration drive organizers meet with their local election officials before beginning their programs. Election officials may be able to clarify rules and may also have their own interpretation or perspective that you will want to understand when starting your drive.

Need assistance? Project Vote offers training in running voter registration programs and best practices. Contact us at (202) 546-4173, www.projectvote.org, info@projectvote.org.

PART 1: ELIGIBILITY

In Missouri, a person may register to vote if they are:¹

- A U.S. citizen;
- A resident of Missouri; and
- At least 17 years and 6 months of age. (However, they can vote only at age 18.)

A person is not eligible to register to vote if they:²

- Have been adjudged mentally incapacitated;
- Are currently serving a term of imprisonment, probation, or parole for a felony; or
- Have been convicted of a felony or misdemeanor connected with the right of suffrage.

PART 2: FREQUENTLY ASKED ELIGIBILITY/RESIDENCY QUESTIONS:

Homeless Applicants: Missouri law does not specifically address homeless individuals.

Felony Convictions: Persons with felony convictions may register and vote if they are not currently serving a term of imprisonment, probation, or parole for a felony.³

College Students: Missouri law does not specifically address college students.

PART 3: FILLING OUT AN APPLICATION

Missouri requires the following on its voter registration application:⁴

- Checkboxes for U.S. citizenship and age
- Type of application (new, address change, name etc.)
- Name
- Sex
- Home address
 - If the applicant lives in a rural area without a street address, the applicant should supply information that may help election officials place the applicant in the proper voting district.
- Mailing address, if different
- Driver’s license number, unless registrant does not have a driver’s license
- Last 4 digits of the applicant’s Social Security Number, unless the applicant does not have a Social Security Number
- Date of birth
- Name and address on last voter registration, if applicable (This has not been required by local election officials; ask local election official.)
- Date of signature and signature or mark affirming that the applicant is an eligible elector and that the provided information is accurate

PART 4: VOTER REGISTRATION DEADLINE

- Applications must be submitted by the 4th Wednesday preceding an election no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m. but no later than 10:00pm.⁵
- **A specific turn-around-time applies to voter registration drives turning in applications they collect. See below.**

PART 5: SUMMARY OF STATE VOTER REGISTRATION DRIVE RULES

<i>Does the state require organizations conducting voter registration drives to register?</i>	No. Only individual Voter Registration Solicitors must register, see question B below. However, groups requesting forms from election authorities must fill out a form with the requester’s name, address, and phone number, see question A below.
<i>Are there restrictions on getting voter registration forms?</i>	There is a request form to be completed if requesting forms from the secretary of state or election authorities. There is also a rule requiring drives that want to print their own forms to get approval. See question A below for details.

<p><i>Does the state have any restrictions on using pre-filled voter registration forms or other rules for mailing forms to potential applicants?</i></p>	<p>Any private individual, group, corporation or other entity desiring to print the postcard application form as it is set out in this rule may do so upon approval of the format by the secretary of state.⁶</p>
<p><i>Does the state require any training in order to conduct voter registration drives?</i></p>	<p>No.</p>
<p><i>Does the state have restrictions on who may help others register to vote?</i></p>	<p>Yes, any person who is paid or otherwise compensated for soliciting more than 10 voter registration applications must register as a voter registration solicitor. Solicitors must be at least 18 years old and registered to vote in Missouri. See question B below for details.</p>
<p><i>Does the state have restrictions on paying drive workers, or additional rules related to payment?</i></p>	<p>Yes, there are restrictions for registered voters based on the number registered, the number of applications collected, or the number of applications submitted, see question C below for details.</p>
<p><i>Are there restrictions on the voter registration drive offering something of value to a person in exchange for completing a voter registration application?</i></p>	<p>Yes, under both state and federal law. See question D below for details.</p>
<p><i>Must the registration drive worker sign her name to the completed voter registration application, and/or must the drive or canvasser place other information on applications?</i></p>	<p>No.</p>
<p><i>Does the state have a rule requiring a receipt or other tracking information to be provided to the applicant?</i></p>	<p>Missouri law does not address that issue.</p>
<p><i>Are voter registration groups prohibited from putting identifying marks on completed voter registration applications or subject to other rules regarding information added to registration applications?</i></p>	<p>Missouri law does not address identifying marks. However, a person who agrees or offers to submit a voter registration application for another person may not knowingly destroy, deface, or conceal the voter registration application.⁷ Violating this restriction is a Class Four Election Offense.⁸</p>

<i>Are there restrictions on copying completed voter registration applications prior to submitting them to the election official, or other restrictions on data entry or disclosure?</i>	Missouri law does not address this issue.
<i>Is there a time limit for voter registration groups to submit the voter registration applications they collect, or other rules regarding submission?</i>	Yes, applications must be delivered within 7 days of accepting or receiving it. ⁹ In addition, Missouri regulation states that the state postcard application forms must be delivered to the appropriate election authority representing the area in which the applicant resides. ¹⁰ See details below, question E.
<i>What are the consequences for failing to submit applications on time?</i>	Violation of the time limit is a Class Four Election Offense, ¹¹ which is a misdemeanor punishable by a maximum of one year in prison, a maximum fine of \$2,500, or both. ¹²
<i>If an application is incomplete, may the voter registration drive write the missing information on the application with the applicant's consent?</i>	Missouri law does not address this issue.
<i>How will an applicant know whether the election official received the application?</i>	Applicants will receive notice, see question F below.
<i>How may an applicant correct an incomplete application after it has been submitted to election officials?</i>	There is a special rule regarding failure to answer the citizenship question, see details below, question G. Organizations should check with county officials regarding other missing information.
<i>Who investigates and enforces the state rules?</i>	The Secretary of State and local election authorities, see below question H.

State Voter Registration Drive Rules: Detailed Explanations

BEFORE THE DRIVE

A. Are there restrictions on getting or submitting voter registration forms?

There is a request form to be completed by any person requesting applications from the secretary of state or election authorities. The request must include the requester's name, address, and telephone number.

Any individual or group may request and shall receive from any election authority a sufficient number of Missouri Voter Registration Applications. The distributed postcard application forms are required to contain a unique identifier.

In addition, any private individual, group, corporation or other entity desiring to print the postcard application form as it is set out in this rule may do so upon approval of the format by the secretary of state.¹³

B. Does the state have restrictions on who may help others register to vote?

Yes. Any person who is paid or otherwise compensated for soliciting more than 10 voter registration applications must register with the Secretary of State as a Voter Registration Solicitor every election cycle, which begins on the day after the general election and ends on the day of the general election two years later. Each Solicitor must provide the following information in writing to the Secretary of State's office: the Solicitor's name, residence, mailing address, whether she expects to be paid for soliciting voter registration forms, the name of the individual or organization paying her if she is getting paid, and signature. The Secretary of State has made available on its website a Solicitor registration form.¹⁴ A Solicitor must be at least 18 years of age and registered to vote in Missouri. Voter registration applications must still be accepted if procured by an inadequately registered solicitor. Any Solicitor who knowingly fails to register with the Secretary of State is guilty of a Class Three Election Offense.¹⁵

C. Does the state have restrictions on paying drive workers?

Yes. No person may pay or otherwise compensate any other person for registering voters based on (1) the number of voters registered by the other person, (2) voter registration applications collected by the other person, or (3) voter registration applications submitted to election officials by the other person. No person may receive or accept payment for any other compensation from any other person for registering voters based on (1) the number of voters registered by the person, (2) voter registration applications collected by the person receiving or accepting payment or other compensation, or (3) voter registration applications submitted to election officials by the person receiving or accepting payment or other compensation.¹⁶ A violation of these restrictions is a Class Four Election Offense.¹⁷

D. Are there restrictions on the voter registration drive offering something of value to a person in exchange for completing a voter registration application?

Yes. Any person who pays or offers to pay, or accepts or offers to accept payment for registering to vote is guilty of a class one election offense.¹⁸

In addition, federal law states that whoever "pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than \$10,000 or imprisoned not more than five years."¹⁹ At least one federal appellate court has interpreted "payment" as "intended to include forms of pecuniary value offered or given directly to an individual voter, and indicated the value should be based on "an assessment of the monetary worth of an item from the perspective of the voter receiving the item." That case held that food vouchers could be "payment."²⁰

Another example is California's Secretary of State's interpretation of the federal law to mean that "[a]ny type of incentive is considered 'payment,' even things as seemingly innocent as cookies or admission to an entertainment event."²¹

DURING THE DRIVE

E. *Is there a time limit for voter registration groups to submit the voter registration applications they collect, or other rules regarding submission?*

Yes. Any person who accepts or receives a voter registration application from another person and agrees or offers to submit the application to the election authority for the applicant must deliver it to the election authority within 7 days of accepting or receiving it.²²

In addition, Missouri regulation states that the state postcard application forms must be delivered to the appropriate election authority representing the area in which the applicant resides.²³

F. *How will an applicant know whether the election official received the application?*

If the election authority is satisfied that the applicant is entitled to register, within seven business days of receiving a completed and signed voter registration application, the election authority must send the applicant a verification notice. If the notice is returned as undeliverable by the postal service, the election authority may not place the applicant's name on the voter registration file. If the election authority determines that the applicant is not entitled to register, the authority must notify the applicant by mail within seven business days after receiving the application and state the reason the authority has determined the applicant is not qualified.²⁴

G. *How may an applicant correct an incomplete application after it has been submitted to election officials?*

If an applicant for voter registration fails to answer the question on the application concerning United States citizenship, the election authority must notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form before the next election.²⁵ Organizations should check with county election officials about whether, in practice, if information other than the citizenship question is missing, the forms may be completed up through the next election.

H. *Who is responsible for investigating and enforcing the state rules?*

The Secretary of State is Missouri's chief election officer.²⁶ Each local election authority supervises the registration of voters within its jurisdiction, directs the activities of all deputy registration officials,²⁷ and makes rules and regulations necessary for the registration of voters and the conduct of elections.²⁸ Each election authority may investigate any qualifications of any voter at any time. An election authority *must* investigate material affecting any voter's qualifications brought to its attention from any source, and such investigations must be conducted in the manner the election authority directs. An election authority may defer an investigation of material brought to her attention within 10 days of an election until after the election if it determines time does not permit an earlier investigation.²⁹

WEB PAGE OF STATUTE

<http://www.moga.mo.gov/mostatutes/chapters/chapText115.html>

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The information contained in this document is for general guidance only. It should not be used as a substitute for consultation with professional legal or other competent advisers. Project Vote is not responsible for any errors or omissions, or for the results obtained from the use of this information.

¹ Mo. Stat. § 115.133.1

² Mo. Stat. § 115.133.2

³ Mo. Stat. § 115.133.2

⁴ Mo. Stat. § 115.155; Missouri Voter Registration Application,
<http://www.sos.mo.gov/elections/goVoteMissouri/print>

⁵ Mo. Stat. § 115.135.1

⁶ Mo. Code Regs. Ann. tit. 15, § 30-4.010

⁷ Mo. Stat. § 115.203.3

⁸ Mo. Stat. § 115.203.5

⁹ Mo. Stat. § 115.203.4

¹⁰ Mo. Code Regs. Ann. tit. 15, § 30-4.010

¹¹ Mo. Stat. § 115.203.5

¹² Mo. Stat. § 115.637

¹³ Mo. Code Regs. Ann. tit. 15, § 30-4.010

¹⁴ See Office of Secretary of State, *Registration Form for Voter Registration Solicitors*,
<http://s1.sos.mo.gov/CMSImages/ElectionGoVoteMissouri/VoterRegistrationSolicitorsRegistrationForm.pdf>

¹⁵ Mo. Stat. § 115.205

¹⁶ Mo. Stat. § 115.203.1. and .2

¹⁷ Mo. Stat. § 115.203.5

¹⁸ Mo. Stat. § 115.175

¹⁹ 52 U.S.C. § 10307(c)

²⁰ *United States v. Garcia*, 719 F.2d 99, 102-103 (5th Cir. 1983).

²¹ California Secretary of State, *Guide to Voter Registration Drives 11*, available at
<http://elections.cdn.sos.ca.gov/guides/guide-to-vr-drives.pdf> (Rev. Jan. 2016)

²² Mo. Stat. § 115.203.4

²³ Mo. Code Regs. Ann. tit. 15, § 30-4.010

²⁴ Mo. Stat. § 115.155.3 and .4

²⁵ Mo. Stat. § 115.155.4

²⁶ Mo. Code Regs. tit. 15, § 30-1.010(1)

²⁷ Mo. Stat. § 115.141

²⁸ Mo. Stat. § 115.043

²⁹ Mo. Stat. § 115.191