

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 1,
2 Section A, Line 7, by inserting immediately after all of said section and line the following:

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4 "115.225. 1. Before use by election authorities in this state, the secretary of state shall
5 approve the marking devices and the automatic tabulating equipment used in electronic voting
6 systems and may promulgate rules and regulations to implement the intent of sections 115.225 to
7 115.235.

8 2. No electronic voting system shall be approved unless it:

9 (1) Permits voting in absolute secrecy;

10 (2) Permits each voter to vote for as many candidates for each office as a voter is lawfully
11 entitled to vote for;

12 (3) Permits each voter to vote for or against as many questions as a voter is lawfully entitled
13 to vote on, and no more;

14 (4) Provides facilities for each voter to cast as many write-in votes for each office as a voter
15 is lawfully entitled to cast;

16 (5) Permits each voter in a primary election to vote for the candidates of only one party
17 announced by the voter in advance;

18 (6) Permits each voter at a presidential election to vote by use of a single punch or mark for
19 the candidates of one party or group of petitioners for president, vice president and their presidential
20 electors;

21 (7) Accurately counts all proper votes cast for each candidate and for and against each
22 question;

23 (8) Is set to reject all votes, except write-in votes, for any office and on any question when
24 the number of votes exceeds the number a voter is lawfully entitled to cast;

25 (9) Permits each voter, while voting, to clearly see the ballot label;

26 (10) Has been tested and is certified by an independent authority that meets the voting
27 system standards developed by the Federal Election Commission or its successor agency. The
28 provisions of this subdivision shall not be required for any system purchased prior to August 28,
29 2002;

30 (11) Conveys all information about the vote and the voter on the paper record of the vote, in
31 a manner that can be easily read, reviewed, and understood by the voter.

32 3. The secretary of state shall promulgate rules and regulations to allow the use of a
33 computerized voting system. The procedures shall provide for the use of a computerized voting
34 system with the ability to provide a paper audit trail. Notwithstanding any provisions of this chapter
35 to the contrary, such a system may allow for the storage of processed ballot materials in an
36 electronic form.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
2 under the authority delegated in this section shall become effective only if it complies with and is
3 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
4 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
5 chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently
6 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
7 August 28, 2002, shall be invalid and void."; and

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9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.
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