

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By  
\_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 754, Page 1, Section A, Line 2, by  
2 inserting immediately after said line the following:

3 "115.237. 1. Each ballot printed or designed for use with an electronic voting system for  
4 any election pursuant to this chapter shall contain all questions and the names of all offices and  
5 candidates certified or filed pursuant to this chapter and no other. Under section 115.240, all ballots  
6 for statewide office, state legislature, circuit judge, and the United States Senate and House of  
7 Representatives shall contain an option labeled "none of the above". As far as practicable, all  
8 questions and the names of all offices and candidates for which each voter is entitled to vote shall be  
9 printed on one page except for the ballot for political party committee persons in polling places not  
10 utilizing an electronic voting system which may be printed separately and in conformity with the  
11 requirements contained in this section. As far as practicable, ballots containing only questions and  
12 the names of nonpartisan offices and candidates shall be printed in accordance with the provisions  
13 of this section, except that the ballot information may be listed in vertical or horizontal rows. The  
14 names of candidates for each office shall be listed in the order in which they are filed.

15 2. In polling places using electronic voting systems, the ballot information may be arranged  
16 in vertical or horizontal rows or on a number of separate pages or screens. In any event, the name  
17 of each candidate, the candidate's party, the office for which he or she is a candidate, and each  
18 question shall be indicated clearly on the ballot.

19 3. Nothing in [this subchapter] section 115.237 shall be construed as prohibiting the use of a  
20 separate paper ballot for questions or for the presidential preference primary in any polling place  
21 using an electronic voting system.

22 4. Where electronic voting systems are used and when write-in votes are authorized by law,  
23 a write-in ballot, which may be in the form of a separate paper ballot, card, or envelope, may be  
24 provided by the election authority to permit each voter to write in the names of persons whose  
25 names do not appear on the ballot.

26 5. No ballot printed or designed for use with an electronic voting system for any partisan  
27 election held under this chapter shall allow a person to vote a straight political party ticket. For  
28 purposes of this subsection, a "straight political party ticket" means voting for all of the candidates  
29 for elective office who are on the ballot representing a single political party by a single selection on  
30 the ballot.

31 6. The secretary of state shall promulgate rules that specify uniform standards for ballot  
32 layout for each electronic or computerized ballot counting system approved under the provisions of  
33 section 115.225 so that the ballot used with any counting system is, where possible, consistent with  
34 the intent of this section. Nothing in this section shall be construed to require the format specified  
35 in this section if it does not meet the requirements of the ballot counting system used by the election  
36 authority.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           7. 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.

8           115.240. 1. Every ballot containing the names of candidates for all statewide office, state  
9 legislature, circuit judge, and the United States Senate and House of Representatives shall contain  
10 for each office an additional line equivalent to the lines on which the candidates' names appear and  
11 placed at the end of the group of lines containing the names of the candidates for that office. Each  
12 additional line shall contain a square in which the voter may express a choice of that line in the  
13 same manner as the voter would express a choice of a candidate, and the line shall read "none of the  
14 above."

15           2. Each ballot shall be counted according to the provisions set forth under section 115.449.  
16 Should the "none of the above" option receive the majority of votes, a special election will be  
17 conducted according to section 115.127. Those candidates designated by name on the current ballot  
18 shall be barred from appearing on the special election ballot. The special election ballot shall not  
19 include the "none of the above" option and shall result in a winning candidate.

20           3. Every sample ballot and all other instructions to voters prescribed or approved by the  
21 secretary of state shall clearly explain that the voter may mark the choice of the line "none of the  
22 above" only if the voter has not voted for any candidate for the office.; and

23  
24 Further amend said bill, Section 115.352, Page 1, Line 5, by inserting immediately after said line  
25 the following:

26           "115.507. 1. Not later than the second Tuesday after the election, unless a special election is  
27 required under section 115.240, the verification board shall issue a statement announcing the results  
28 of each election held within its jurisdiction and shall certify the returns to each political subdivision  
29 and special district submitting a candidate or question at the election. The statement shall include a  
30 categorization of the number of regular and absentee votes cast in the election, and how those votes  
31 were cast; provided however, that absentee votes shall not be reported separately where such  
32 reporting would disclose how any single voter cast his or her vote. When absentee votes are not  
33 reported separately the statement shall include the reason why such reporting did not occur.  
34 Nothing in this section shall be construed to require the election authority to tabulate absentee  
35 ballots by precinct on election night.

36           2. The verification board shall prepare the returns by drawing an abstract of the votes cast  
37 for each candidate and on each question submitted to a vote of people in its jurisdiction by the state  
38 and by each political subdivision and special district at the election. The abstract of votes drawn by  
39 the verification board shall be the official returns of the election.

40           3. Any home rule city with more than four hundred thousand inhabitants and located in  
41 more than one county may by ordinance designate one of the election authorities situated partially  
42 or wholly within that home rule city to be the verification board that shall certify the returns of such  
43 city submitting a candidate or question at any election and shall notify each verification board  
44 within the city of that designation by providing each with a copy of such duly adopted ordinance.  
45 Not later than the second Tuesday after any election in any city making such a designation, unless a  
46 special election is required under section 115.240, each verification board within the city shall  
47 certify the returns of such city submitting a candidate or question at the election to the election  
48 authority so designated by the city to be its verification board, and such election authority shall

1 announce the results of the election and certify the cumulative returns to the city in conformance  
2 with subsections 1 and 2 of this section not later than ten days thereafter.

3 4. Not later than the second Tuesday, unless a special election is required under section  
4 115.240, after each election at which the name of a candidate for nomination or election to the  
5 office of president of the United States, United States senator, representative in Congress, governor,  
6 lieutenant governor, state senator, state representative, judge of the circuit court, secretary of state,  
7 attorney general, state treasurer, or state auditor, or at which an initiative, referendum, constitutional  
8 amendment or question of retaining a judge subject to the provisions of Article V, Section 29 of the  
9 State Constitution, appears on the ballot in a jurisdiction, the election authority of the jurisdiction  
10 shall mail or deliver to the secretary of state the abstract of the votes given in its jurisdiction, by  
11 polling place or precinct, for each such office and on each such question. If mailed, the abstract  
12 shall be enclosed in a strong, sealed envelope or envelopes. On the outside of each envelope shall  
13 be printed: "Returns of election held in the county of ..... (City of St. Louis, Kansas City) on  
14 the ..... day of ....., ....., ", etc."; and

15  
16 Further amend said bill by amending the title, enacting clause, and intersectional references  
17 accordingly.