

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Bill No. 544,
2 Page 28, Line 43, by inserting immediately after all of said line the following:

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4 "116.055. 1. As used in this section the following terms mean:

5 (1) "Electronic signature", the submission of data by an eligible voter as prescribed under
6 subsection 2 of this section;

7 (2) "Eligible voter", any person registered to vote in accordance with section 115.151;

8 (3) "Initiative and referendum petition", any document filed under the provisions of chapter
9 116;

10 (4) "Website", an electronic reporting system that is connected to the internet and
11 maintained by the secretary of state.

12 2. The secretary of state shall administer and be responsible for the establishment,
13 implementation, and maintenance of a website allowing for the submission of electronic signatures
14 for every initiative and referendum petition, and any eligible voter may choose whether to submit
15 his or her electronic signature for a petition or sign the petition manually. This section shall not be
16 construed to require an eligible voter to use electronic signatures but shall be used as an alternative
17 to manually signing a petition.

18 3. An eligible voter may sign a petition by use of an electronic signature. The secretary of
19 state and each election commissioner or county clerk shall accept an electronic signature meeting
20 the requirements of this section and include the signature in the count of signatures necessary to
21 validate the petition. No circulator signature or notarization shall be required for electronic
22 signatures. The use of an electronic signature shall have the same force and effect as the use of a
23 manual signature on a petition only if the electronic signature complies with the following
24 requirements:

25 (1) The electronic signature is submitted by an eligible voter to a website established under
26 subsection 2 of this section;

27 (2) A voter, at the time of submitting the electronic signature, also submits:

28 (a) His or her name, address, county of residence, and date of birth as shown on his or her
29 voter registration record;

30 (b) His or her assent to the petition document; and

31 (c) A unique identifier that shall be provided to each registered voter by the secretary of
32 state;

33 (3) The electronic signature is correlated with the voter as evidenced by a reasonable match
34 with voter registration records and voting records that correspond to at least one item of state-

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1 qualified data;

2 (4) The electronic signature has not been repudiated as a result of the postcard mailed under
3 subsection 4 of this section;

4 (5) The electronic signature has not been previously submitted and verified as a signature on
5 the same petition; and

6 (6) The electronic signature conforms to reasonable rules and regulations adopted and
7 promulgated by the secretary of state.

8 4. Upon receipt of an electronic signature, the secretary of state shall mail a postcard by
9 United States mail to the voter at the address on his or her voter registration record notifying the
10 voter that his or her signature has been received, identifying the petition to which the signature is
11 attached, and notifying the voter that he or she has ten days to contact the office of the secretary of
12 state to indicate that he or she did not submit the signature.

13 5. The secretary of state shall adopt and promulgate rules and regulations to carry out this
14 section. The secretary of state shall seek the advice of public and private entities in developing the
15 rules and regulations. The rules and regulations shall provide for a degree of security for the process
16 of submitting electronic signatures and electronic signature verification reasonably related to the
17 risks and consequences of fraud or misuse. The rules and regulations shall require, at a minimum,
18 the maintenance of an audit trail of public internet protocol addresses identified with the session in
19 which the electronic signature was submitted, the data submitted by the voter, the time and date of
20 the submission, the state-qualified data used for verification, and the date the postcard required
21 under subsection 4 of this section was mailed.

22 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
23 under the authority delegated in this section shall become effective only if it complies with and is
24 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
25 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to
26 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
27 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
28 August 28, 2020, shall be invalid and void."; and

29
30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.

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33 THIS AMENDMENT AMENDS NO. 4115H03.40H.