

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 630,
2 Page 17, Section 115.221, Line 4, by inserting after all of said line the following:

3
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) Produces the election results from paper ballots that voters have marked by hand or, in
26 the case of disabled voters who need assistance, from paper ballots that have been marked by paper
27 ballot marking devices designed to assist disabled voters;

28 (10) Permits each voter, while voting, to clearly see the ballot label;

29 [(10)] (11) Has been tested and is certified by an independent authority that meets the voting
30 system standards developed by the Federal Election Commission or its successor agency. The
31 provisions of this subdivision shall not be required for any system purchased prior to August 28,
32 2002.

33 3. If any election authority uses any direct-record electronic touch-screen, vote-counting
34 machine to accommodate disabled voters, the election authority may continue to use such machine
35 solely for disabled voters who desire to use it. Upon the removal of such voting machine from the
36 election authority's inventory because of mechanical malfunction, wear and tear, or any other reason,

Action Taken _____ Date _____

1 the machine shall not be replaced and no additional direct-record electronic voting machine shall be
 2 added to the election authority's inventory. Replacement of equipment for use by disabled voters
 3 shall be with paper ballot marking devices designed to assist the disabled.

4 4. The secretary of state shall promulgate rules and regulations to allow the use of a
 5 computerized voting system. The procedures shall provide for the use of a computerized voting
 6 system with the ability to provide a paper audit trail. Notwithstanding any provisions of this chapter
 7 to the contrary, such a system may allow for the storage of processed ballot materials in an electronic
 8 form.

9 [4.] 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 10 under the authority delegated in this section shall become effective only if it complies with and is
 11 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 12 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
 13 chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently
 14 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 15 August 28, 2002, shall be invalid and void."; and

16
 17 Further amend said bill, Page 17, Section 115.237, Line 1, by deleting all of said line and inserting in
 18 lieu thereof the following:

19
 20 "115.237. 1. The official ballot shall be a paper ballot that is hand-marked by the voter, or in
 21 the case of disabled voters who need assistance, by a paper ballot-marking device designed to assist
 22 the disabled, except as provided in subsection 3 of section 115.225.

23 2. Each ballot printed or designed for use with an electronic voting system for"; and

24
 25 Further amend said section by renumbering subsections accordingly; and

26
 27 Further amend said bill, Page 32, Section 115.503, Line 25, by inserting after all of said line the
 28 following:

29
 30 "115.506. No election shall be certified until an audit shall have been completed on the
 31 election returns."; and

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