

HCS HB 472 -- ELECTION TABULATING SOFTWARE

SPONSOR: Griesheimer

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 10 to 2. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 3.

This bill requires election authorities to use tabulating software developed, owned, and maintained by a business entity registered in the United States and owned by a citizen. If the business is publicly held, then the Board of Directors and a majority of stockholders shall be United States citizens. The business shall not be a subsidiary of any multinational firm and must have its principal place of business in the United States.

The bill requires the Secretary of State (SOS) to retain and make available, to any resident or citizen of this state, the full corresponding source code of any software or hardware containing software or firmware that was used for election tabulation. The SOS shall retain the information for 10 years.

The bill does not modify existing rules and regulations concerning election security and computer programs.

This bill has a delayed effective date of August 1, 2024.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the bill makes it easier to audit elections. It ensures integrity in elections and the process.

Testifying for the bill were Representative Griesheimer; and Arnie Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say there is an extensive process for obtaining election equipment, but all equipment is approved by the Secretary of State. Often, the public is involved in the process by testing equipment and providing input. Information witnesses stressed that the post-testing and auditing processes are important for election equipment. All equipment uses foreign components to some extent, so transparency in the supply chain must be considered.

Testifying on the bill were Shane Schoeller, Office of Greene County Clerk; Eric Fey, St. Louis County Election Board.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.