

③ Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

**SS SCS HB 1878**

entitled:

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**AN ACT**

To repeal sections 115.013, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.652, 115.755, 115.758, 115.761, 115.765, 115.767, 115.770, 115.773, 115.776, 115.785, 115.902, 115.904, and 115.960, RSMo, and to enact in lieu thereof forty new sections relating to elections, with penalty provisions.

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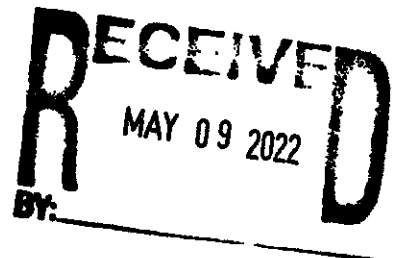
With SA 2, SA 1 to SA 3, SA 3, as amended, SA 1 to SA 6, SA 6, as amended, SA 7, SA 8, SA 9 & SA 10

In which the concurrence of the House is respectfully requested.

Respectfully,

*Adriane D. Crouse*

Adriane D. Crouse  
Secretary of the Senate



SENATE AMENDMENT NO. 2Offered by Burlison of 20Amend SS/SCS/House Bill No. 1878, Page 6, Section 115.022, Lines 1-2,

2 by striking the words: "Notwithstanding any other law to the  
3 contrary" and inserting in lieu thereof the following:

4 "Except as provided in subsection 5 of this section"; and  
5 further amend line 6, by striking the following: "If there  
6 is not sufficient"; and further amend said section, lines 7-  
7 9, by striking all of said lines; and further amend line 14,  
8 by inserting after all of said line the following:

9 "3. For purposes of this section, "in-kind donations"  
10 shall only include:

11 (1) Personal protective equipment;

12 (2) Water;

13 (3) Locations at which an election may be conducted;

14 and

15 (4) Food for an election authority, staff of an  
16 election authority, election judges, watchers, and  
17 challengers.

18 4. The secretary of state is authorized to withhold  
19 funds from an election authority in violation of this  
20 section unless such funding is a federal mandate or part of  
21 a federal and state agreement.

22 5. In any even-numbered year in which the amount of  
23 state funds appropriated to proportionally compensate  
24 counties pursuant to sections 115.063 and 115.065 is less  
25 than the amount of such funds that were appropriated in the  
26 previous even-numbered year, private moneys may be received

Offered 5/2/22  
Adopted 11

27 by the secretary of state to disburse to counties based on  
28 the amount of registered voters in each county. The amount  
29 of private moneys that may be received by the secretary of  
30 state shall not exceed the difference between the amount of  
31 state funds appropriated in the previous even-numbered year  
32 and the amount appropriated in the pending even-numbered  
33 year, plus ten percent of the total amount that was  
34 appropriated in the previous even-numbered year."; and

35 Further amend said bill, page 25, section 115.225,  
36 lines 68-72, by striking all of said lines; and

37 Further amend said bill and section, page 26, lines 73-  
38 84, by striking all of said lines and inserting in lieu  
39 thereof the following:

40 "6. (1) Each election authority that controls its own  
41 information technology department shall, once every two  
42 years, allow a cyber security review of their office by the  
43 secretary of state or alternatively by an entity that  
44 specializes in cyber security reviews. Each political  
45 subdivision that controls the information technology  
46 department for an election authority shall, once every two  
47 years, allow a cyber security review of the information  
48 technology department by the secretary of state or  
49 alternatively by an entity that specializes in cyber  
50 security reviews. The secretary of state shall, once every  
51 two years, allow a cyber security review of its office by an  
52 entity that specializes in cyber security reviews. For  
53 purposes of this section, an entity specializes in cyber  
54 security review if it employs one or more individuals who:

55 (a) Have at least five years management experience in  
56 information security or five years experience as an  
57 information security analyst;

58       (b) Have worked in at least two of the domains listed  
59 in paragraph (c) of this subdivision that are covered in the  
60 exam required by such paragraph; and

61       (c) Have attained an information security  
62 certification by passing an exam that covers at least three  
63 of the following topics:

64       a. Information technology risk management,  
65 identification, mitigation, and compliance;

66       b. Information security incident management;

67       c. Information security program development and  
68 management;

69       d. Risk and control monitoring and reporting;

70       e. Access control systems and methodology;

71       f. Business continuity planning and disaster recovery  
72 planning;

73       g. Physical security of election authority property;

74       h. Networking security; or

75       i. Security architecture application and systems  
76 development.

77       (2) If an election authority or political subdivision  
78 fails to have a cyber security review as required by this  
79 subsection, the secretary of state may publish a notice of  
80 noncompliance in a newspaper within the jurisdiction of the  
81 election authority or in electronic format. The secretary  
82 of state is also authorized to withhold funds from an  
83 election authority in violation of this section unless such  
84 funding is a federal mandate or part of a federal and state  
85 agreement.

86       7. The secretary of state shall have authority to  
87 require cyber security testing, including penetration  
88 testing, of vendor machines, programs, and systems. Failure  
89 to participate in such testing shall result in a revocation  
90 of vendor certification. Upon notice from another

91 jurisdiction of cyber security failures or certification  
92 withholds or revocation, the secretary of state shall have  
93 authority to revoke or withhold certification for vendors.  
94 The requirements of this section shall be subject to  
95 appropriation for the purpose of cyber security testing.

96 8. The secretary of state may designate an  
97 organization of which each election authority shall be a  
98 member, provided there is no membership fee and the  
99 organization provides information to increase cyber security  
100 and election integrity efforts."

SENATE AMENDMENT NO. 1

TO

SENATE AMENDMENT NO. 3Offered by Paul Schupp of 24thAmend SA#3 SS/SCS/House Bill No. 1878, Page 2, Section \_\_\_\_\_, Line 54,

2 by inserting after "Affiliation (" the following:

3 "OPTIONAL:".

Offered 5/3/22  
Adopted "

SENATE AMENDMENT NO. 3

Offered by

Koenig

of

15Amend SS/SCS/House Bill No. 1878, Page 15, Section 115.151, Line 28,

2 by inserting after all of said line the following:  
 3 "115.155. 1. The election authority shall provide for  
 4 the registration of each voter. Each application shall be  
 5 in substantially the following form:

## 6 APPLICATION FOR REGISTRATION

7 Are you a citizen of the United States?

8 ☐ YES☐ NO

9 Will you be 18 years of age on or before election  
 10 day?

11 ☐ YES☐ NO

12 IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE  
 13 QUESTIONS, DO NOT COMPLETE THIS FORM.

14 IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE  
 15 REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A  
 16 COPY OF A CURRENT, VALID PHOTO IDENTIFICATION. IF  
 17 YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE  
 18 REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON  
 19 VOTING FOR THE FIRST TIME SUCH AS A BIRTH  
 20 CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT,  
 21 OTHER PROOF OF UNITED STATES CITIZENSHIP, A VALID  
 22 MISSOURI DRIVERS LICENSE OR OTHER FORM OF PERSONAL  
 23 IDENTIFICATION.

24

25

Township (or Ward)

26

27

Name

Precinct

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28	_____	_____
29	Home Address	Required Personal
30		Identification
31		Information
32	_____	
33	City ZIP	
34	_____	_____
35	Date of Birth	Place of Birth
36		(Optional)
37	_____	_____
38	Telephone Number	Mother's Maiden
39	(Optional)	Name (Optional)
40	_____	_____
41	Occupation (Optional)	Last Place Previously
42		Registered
43	_____	_____
44	Last four digits of	Under What Name
45	Social Security Number	
46	(Required for	
47	registration unless no	
48	Social Security number	
49	exists for Applicant)	
50		
51	Remarks:	_____
52		When
53	<u>Political Party</u>	
54	<u>Affiliation (You shall</u>	
55	<u>be unaffiliated unless</u>	
56	<u>you designate an</u>	
57	<u>affiliation.)</u>	
58	I am a citizen of the United States and a resident	
59	of the state of Missouri. I have not been adjudged	
60	incapacitated by any court of law. If I have been	
61	convicted of a felony or of a misdemeanor connected	
62	with the right of suffrage, I have had the voting	



63 disabilities resulting from such conviction removed  
 64 pursuant to law. I do solemnly swear that all  
 65 statements made on this card are true to the best  
 66 of my knowledge and belief.

67 I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING  
 68 THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM  
 69 COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY BE  
 70 PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE  
 71 YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE  
 72 HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY BOTH  
 73 SUCH IMPRISONMENT AND FINE.

74 \_\_\_\_\_  
 75 Signature of Voter Date

76 \_\_\_\_\_  
 77 Signature of Election Official

78 2. The options for political party affiliation  
 79 required by the application described in subsection 1 of  
 80 this section shall include all established political parties  
 81 and an option to be unaffiliated. If an applicant does not  
 82 designate an affiliation, the election authority shall mark  
 83 the applicant's form as unaffiliated.

84 3. After supplying all information necessary for the  
 85 registration records, each applicant who appears in person  
 86 before the election authority shall swear or affirm the  
 87 statements on the registration application by signing his or  
 88 her full name, witnessed by the signature of the election  
 89 authority or such authority's deputy registration official.  
 90 Each applicant who applies to register by mail pursuant to  
 91 section 115.159, or pursuant to section 115.160 or 115.162,  
 92 shall attest to the statements on the application by his or  
 93 her signature.

94 [3.] 4. Upon receipt by mail of a completed and signed  
 95 voter registration application; a voter registration  
 96 application forwarded by the division of motor vehicle and

97 drivers licensing of the department of revenue pursuant to  
98 section 115.160, or a voter registration agency pursuant to  
99 section 115.162, the election authority shall, if satisfied  
100 that the applicant is entitled to register, transfer all  
101 data necessary for the registration records from the  
102 application to its registration system. Within seven  
103 business days after receiving the application, the election  
104 authority shall send the applicant a verification notice.  
105 If such notice is returned as undeliverable by the postal  
106 service within the time established by the election  
107 authority, the election authority shall not place the  
108 applicant's name on the voter registration file.

109 [4.] 5. If, upon receipt by mail of a voter  
110 registration application or a voter registration application  
111 forwarded pursuant to section 115.160 or 115.162, the  
112 election authority determines that the applicant is not  
113 entitled to register, such authority shall, within seven  
114 business days after receiving the application, so notify the  
115 applicant by mail and state the reason such authority has  
116 determined the applicant is not qualified. The applicant  
117 may file a complaint with the elections division of the  
118 secretary of state's office under and pursuant to section  
119 115.219. If an applicant for voter registration fails to  
120 answer the question on the application concerning United  
121 States citizenship, the election authority shall notify the  
122 applicant of the failure and provide the applicant with an  
123 opportunity to complete the form in a timely manner to allow  
124 for the completion of the registration form before the next  
125 election.

126 [5.] 6. The secretary of state shall prescribe  
127 specifications for voter registration documents so that they  
128 are uniform throughout the state of Missouri and comply with  
129 the National Voter Registration Act of 1993, including the

130 reporting requirements, and so that registrations, name  
131 changes and transfers of registrations within the state may  
132 take place as allowed by law.

133 ~~[6]~~ 7. All voter registration applications shall be  
134 preserved in the office of the election authority."; and

135 Further amend said bill, page 16, section 115.157, line  
136 32, by inserting after "district" the following: "; and

137 (20) Political party affiliation"; and further amend  
138 line 44, by striking said line and inserting in lieu thereof  
139 the following: "birth ~~[and]~~, addresses, and political party  
140 affiliations of voters, or any part thereof, within"; and

141 Further amend said bill, page 20, section 115.160, line  
142 64, by inserting after all of said line the following:

143 "115.163. 1. Each election authority shall use the  
144 Missouri voter registration system established by section  
145 115.158 to prepare a list of legally registered voters for  
146 each precinct. The list shall be arranged alphabetically or  
147 by street address as the election authority determines and  
148 shall be known as the precinct register. The precinct  
149 registers shall be kept by the election authority in a  
150 secure place, except when given to election judges for use  
151 at an election. Except as provided in subsection 6 of  
152 section 115.157, all registration records shall be open to  
153 inspection by the public at all reasonable times.

154 2. A new precinct register shall be prepared by the  
155 election authority prior to each election.

156 3. (1) The election authority shall send to each  
157 voter, except those who registered by mail and have not  
158 voted, a voter identification card no later than ninety days  
159 prior to the date of a primary or general election for  
160 federal office, unless the voter has received such a card  
161 during the preceding six months. The election authority  
162 shall send to each voter who registered by mail and has not

163 voted the verification notice required under section 115.155  
164 no later than ninety days prior to the date of a primary or  
165 general election for federal office.

166       (2) The voter identification card shall contain the  
167 voter's name, address, political party affiliation, and  
168 precinct. The card also shall inform the voter of the  
169 personal identification requirement in section 115.427 and  
170 may also contain other voting information at the discretion  
171 of the election authority.

172       (3) The voter identification card shall be sent to a  
173 voter, except those who registered by mail and have not  
174 voted, after a new registration or a change of address. If  
175 any voter, except those who registered by mail and have not  
176 voted, shall lose his or her voter identification card or  
177 change political party affiliation, he or she may request a  
178 new [one] card from the election authority.

179       (4) The voter identification card authorized pursuant  
180 to this section may be used as a canvass of voters in lieu  
181 of the provisions set out in sections 115.179 to 115.193.

182       (5) Except as provided in subsection 2 of section  
183 115.157, anyone, upon request and payment of a reasonable  
184 fee, may obtain a printout, list and/or computer tape of  
185 those newly registered voters or voters deleted from the  
186 voting rolls, since the last canvass or updating of the  
187 rolls.

188       (6) The election authority may authorize the use of  
189 the postal service contractors under the federal National  
190 Change of Address program to identify those voters whose  
191 address is not correct on the voter registration records.  
192 The election authority shall not be required to mail a voter  
193 registration card to those voters whose addresses are  
194 incorrect. Confirmation notices to such voters required by

195 section 115.193 shall be sent to the corrected address  
196 provided by the National Change of Address program."; and

197 Further amend said bill, page 22, section 115.165, line  
198 61, by inserting after all of said line the following:

199 "115.168. 1. If a registered voter chooses to change  
200 his or her political party affiliation, the voter may notify  
201 the election authority of such change. Any change of  
202 political party affiliation shall be made by signed, written  
203 notice in substantially the same manner as a change of  
204 address application is filed under section 115.165.

205 2. For purposes of this section, the phrase "change  
206 his or her political party affiliation" shall mean changing  
207 affiliation from one established political party to another  
208 established political party, changing from affiliation with  
209 an established political party to unaffiliated, or changing  
210 from unaffiliated to affiliation with an established  
211 political party."; and

212 Further amend said bill, page 72, section 115.447, line  
213 34, by inserting after all of said line the following:

214 "115.628. 1. The secretary of state shall maintain  
215 voter registration records in accordance with the Missouri  
216 voter registration system defined under section 115.158.

217 2. Local election authorities shall notify registered  
218 voters of the political party affiliation opportunities of  
219 this section using all current election mailings that would  
220 otherwise be mailed to registered voters prior to January 1,  
221 2025.

222 3. Beginning January 1, 2023, the voter registration  
223 application form shall be amended to include a choice of  
224 political party affiliation.

225 4. Notwithstanding any other provision of law to the  
226 contrary, beginning January 1, 2023, voters may declare  
227 political party affiliation during the voter check-in

228 process at any election. Appropriate software shall be  
229 provided at voter check-in for political party affiliation  
230 so as to minimize later data entry for election  
231 authorities. If the election authority does not use  
232 electronic poll books, then a signed, written notice in  
233 substantially the same manner as a change of address  
234 application is filed under section 115.165 is adequate. The  
235 election authority shall process this initial political  
236 party registration through its normal means of  
237 administration.

238 5. Notwithstanding any other provision of law to the  
239 contrary, all current processes for registering voters in  
240 the various counties shall remain in place."; and

241 Further amend the title and enacting clause accordingly.

SENATE AMENDMENT NO. 1

TO

SENATE AMENDMENT NO. 4Offered by Rizzo of 11thAmend SA 15 SS/SCS/House Bill No. 1878, Page 1, Section \_\_\_\_\_, Line 5,

- 2 by inserting after "required" the following: ", provided  
3 that the provisions of section 1.140 to the contrary  
4 notwithstanding, this sentence and section 115.427 shall be  
5 nonseverable, and if any provision of section 115.427 is for  
6 any reason held to be invalid, such decision shall  
7 invalidate this sentence".

*Offered 5/3/22*  
*Adopted 11*

SENATE AMENDMENT NO. 6

Offered by

Rizzo

of

11thAmend SS/SCS/House Bill No. 1878, Page 32, Section 115.277, Line 10,

- 2 by inserting at the end of said line the following:  
3 "Beginning on the second Tuesday prior to an election, a  
4 reason listed under subsection 3 of this section shall not  
5 be required."; and  
6 Further amend line 13, by inserting after "ballot" the  
7 following: "not in person at a location designated by the  
8 election authority".

*Offered 5/3/22*  
*Adopted 1*



**SENATE AMENDMENT NO. 7**Offered by ELCEL of 23Amend SS/SCS/House Bill No. 1878, Page 80, Section 1, Line 5,

2 by inserting after all of said line the following:

3 "Section 2. 1. As used in this section, the term  
4 "public official" means any elected or appointed officer,  
5 employee, or agent of the state or any political  
6 subdivision, board, commission, bureau, or other public body  
7 established by law.

8 2. In any civil action in a state or federal court, no  
9 public official, including any attorney representing or  
10 acting on behalf of a public official, has any authority to  
11 compromise or settle an action, consent to any condition, or  
12 agree to any order in connection therewith if the  
13 compromise, settlement, condition, or order nullifies,  
14 suspends, enjoins, alters, or conflicts with any provision  
15 of chapters 115 to 128.

16 3. Any compromise, settlement, condition, or order to  
17 which a public official agrees that conflicts with  
18 subsection 2 of this section is void and has no legal effect.

19 4. Nothing in this section shall be construed to limit  
20 or otherwise restrict any powers granted by articles III or  
21 VIII of the Constitution of Missouri.

22 5. When a party to an action in state or federal court  
23 challenges the constitutionality of a statute facially or as  
24 applied, challenges a statute as violating or preempted by  
25 federal law, or otherwise challenges the construction or  
26 validity of a statute, as part of a claim or affirmative

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27 defense, that party shall provide a copy of the pleading to  
28 the speaker of the house of representatives and the  
29 president pro tempore of the senate within fourteen days of  
30 filing the pleading with the court. The speaker of the  
31 house of representatives and the president pro tempore of  
32 the senate may intervene to defend against the action at any  
33 time in the action as a matter of right by serving motion  
34 upon the parties as provided by applicable rules of civil  
35 procedure.

36 6. The speaker of the house of representatives may  
37 intervene at any time in an action on behalf of the house of  
38 representatives. The speaker may obtain legal counsel other  
39 than from the attorney general, with the cost of  
40 representation paid from funds appropriated for that  
41 purpose, to represent the house of representatives in any  
42 action in which the speaker intervenes.

43 7. The president pro tempore of the senate may  
44 intervene at any time in an action on behalf of the senate.  
45 The president pro tempore may obtain legal counsel other  
46 than from the attorney general, with the cost of  
47 representation paid from funds appropriated for that  
48 purpose, to represent the senate in any action in which the  
49 president pro tempore intervenes.

50 8. The president pro tempore of the senate and the  
51 speaker of the house of representatives, acting jointly, may  
52 intervene at any time in an action on behalf of the general  
53 assembly. The president pro tempore and the speaker, acting  
54 jointly, may obtain legal counsel other than from the  
55 attorney general, with the cost of representation paid from  
56 funds appropriated for that purpose, to represent the  
57 general assembly in any action in which the president pro  
58 tempore and speaker jointly intervene.

59       9. No individual member, or group of members, of the  
60 senate or of the house of representatives, except the  
61 president pro tempore and the speaker as provided under this  
62 section, shall intervene in an action described in this  
63 section or obtain legal counsel at public expense under this  
64 section in the member's or group's capacity as a member or  
65 members of the senate or the house of representatives.

66       10. Notwithstanding any contrary provision of law, the  
67 participation of the speaker of the house of representatives  
68 or the president pro tempore of the senate in any state or  
69 federal action, as a party or otherwise, does not constitute  
70 a waiver of the legislative immunity or legislative  
71 privilege of any member, officer, or staff of the general  
72 assembly."; and

73       Further amend the title and enacting clause accordingly.

SENATE AMENDMENT NO. 8Offered by ONDER of 2Amend SS/SCS/House Bill No. 1878, Page 16, Section 115.157, Line 51,

- 2 by striking the opening bracket "["; and  
3 Further amend said section, page 17, line 70, by  
4 striking the closing bracket "]""; and further amend line 76,  
5 by striking the opening bracket "["; and further amend line  
6 86, by striking the closing bracket "]""; and further  
7 renumber the remaining subsection accordingly.

Offered 5/3/22  
Adopted 1

SENATE AMENDMENT NO. 9Offered by Burlison of 20Amend SS/SCS/House Bill No. 1878, Page 80, Section 1, Line 5,

- 2 by inserting after all of said line the following:
- 3 "Section 2. All audits required by subsection 6 of
- 4 section 115.225 that are conducted by the secretary of state
- 5 shall be solely paid for by state and federal funding."; and
- 6 Further amend the title and enacting clause accordingly.

*Offered 5/3/22*  
*Adopted 11*

**SENATE AMENDMENT NO. 10**Offered by M. M.of 2974Amend SS/SCS/House Bill No. 1878, Pages 26-28, Section 115.237, Line \_\_\_\_\_,

2 by striking all of said section and inserting in lieu  
3 thereof the following:

4 "115.237. 1. Each ballot printed or designed for use  
5 with an electronic voting system for any election pursuant  
6 to this chapter shall contain all questions and the names of  
7 all offices and candidates certified or filed pursuant to  
8 this chapter and no other. Beginning January 1, 2023, the  
9 official ballot shall be a paper ballot that is hand-marked  
10 by the voter or by the voter's designee as permitted in  
11 section 115.445, unless such voter chooses to use a ballot  
12 marking device as provided in section 115.225. As far as  
13 practicable, all questions and the names of all offices and  
14 candidates for which each voter is entitled to vote shall be  
15 printed on one page except for the ballot for political  
16 party committee persons in polling places not utilizing an  
17 electronic voting system which may be printed separately and  
18 in conformity with the requirements contained in this  
19 section. As far as practicable, ballots containing only  
20 questions and the names of nonpartisan offices and  
21 candidates shall be printed in accordance with the  
22 provisions of this section, except that the ballot  
23 information may be listed in vertical or horizontal rows.  
24 The names of candidates for each office shall be listed in  
25 the order in which they are filed.

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

33           3. Nothing in this subchapter shall be construed as  
34 prohibiting the use of a separate paper ballot for questions  
35 or for the presidential preference primary in any polling  
36 place using an electronic voting system.

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

43           5. No ballot printed or designed for use with an  
44 electronic voting system for any partisan election held  
45 under this chapter shall allow a person to vote a straight  
46 political party ticket. For purposes of this subsection, a  
47 "straight political party ticket" means voting for all of  
48 the candidates for elective office who are on the ballot  
49 representing a single political party by a single selection  
50 on the ballot.

51           6. The secretary of state shall promulgate rules that  
52 specify uniform standards for ballot layout for each  
53 electronic or computerized ballot counting system approved  
54 under the provisions of section 115.225 so that the ballot  
55 used with any counting system is, where possible, consistent  
56 with the intent of this section. Nothing in this section  
57 shall be construed to require the format specified in this

58 section if it does not meet the requirements of the ballot  
59 counting system used by the election authority.

60 7. Any rule or portion of a rule, as that term is  
61 defined in section 536.010, that is created under the  
62 authority delegated in this section shall become effective  
63 only if it complies with and is subject to all of the  
64 provisions of chapter 536 and, if applicable, section  
65 536.028. This section and chapter 536 are nonseverable and  
66 if any of the powers vested with the general assembly  
67 pursuant to chapter 536 to review, to delay the effective  
68 date or to disapprove and annul a rule are subsequently held  
69 unconstitutional, then the grant of rulemaking authority and  
70 any rule proposed or adopted after August 28, 2002, shall be  
71 invalid and void."; and

72 Further amend the title and enacting clause accordingly.