

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

Offered By

1 AMEND House Committee Substitute for House Bill No. 1749, Page 6, Section 116.050, Line 24,  
2 by inserting after all of said section and line the following:

3  
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 an electronic signature but an electronic signature may  
17 be used as an alternative 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

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

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

6           (4) The electronic signature has not been subsequently repudiated by the voter through a  
7 process established by the secretary of state;

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

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

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

20           5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
21 under the authority delegated in this section shall become effective only if it complies with and is  
22 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
23 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to  
24 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
25 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
26 August 28, 2023, shall be invalid and void."; and

27  
28 Further amend said bill by amending the title, enacting clause, and intersectional references  
29 accordingly.