

FIRST REGULAR SESSION

HOUSE BILL NO. 336

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

0703L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 115, RSMo, by adding thereto one new section relating to electronic signatures.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 115, RSMo, is amended by adding thereto one new section, to be known as section 115.960, to read as follows:

115.960. 1. An election authority is authorized to accept voter registration applications with a signature submitted to the election authority under the provisions of sections 432.200 to 432.295 as provided in this section:

(1) Sections 432.200 to 432.295 shall only apply to transactions between parties that have agreed to conduct transactions by electronic means;

(2) Except as provided in subsection 2 of this section, as used in this section and sections 432.200 to 432.295, the parties who agree to conduct voter registration transactions by electronic means shall be the local election authority who is required to accept or reject a voter registration application and the prospective voter submitting the application;

(3) A local election authority is authorized to develop, maintain, and approve systems that transmit voter registration applications electronically under sections 432.200 to 432.295;

(4) Except as provided in subsection 2 of this section, no officer, agency, or organization shall collect or submit a voter registration application with an electronic signature to an election authority without first obtaining approval of the data and signature format from the local election authority and the approval of the voter to collect and store the signature and data; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(5) Local election authorities who maintain a voter registration application system**
19 **shall direct voter registration applicants from other jurisdictions to the system used by the**
20 **local election authority for that jurisdiction to accept voter registration applications**
21 **electronically.**

22 **2. A system maintained by the secretary of state's office shall be used to accept**
23 **voter registration applications electronically subsequent to approval from the committee**
24 **formed as set forth in this subsection:**

25 **(1) Within thirty days of the effective date of this section, the president of the**
26 **Missouri association of county clerks and election authorities shall appoint fourteen of its**
27 **members to serve on a committee to approve and develop uniform standards, systems, and**
28 **modifications that shall be used by the secretary of state in any electronic voter registration**
29 **application system offered by that office. The committee shall have fourteen local election**
30 **authorities, including representatives of each classification of counties, a representative**
31 **from an election board, and at least one member who has experience processing online**
32 **voter registration transactions. In addition, one representative appointed by the secretary**
33 **of state's office shall serve on the committee;**

34 **(2) The committee shall immediately meet to approve electronic signature formats**
35 **and a minimum set of data collection standards for use in a voter registration application**
36 **system maintained by the secretary of state;**

37 **(3) Once the format and data collection standards are approved by the committee**
38 **and implemented for the system maintained by the secretary of state, local election**
39 **authorities shall accept the transmission of voter registration applications submitted to the**
40 **approved system under the provisions of sections 432.200 to 432.295;**

41 **(4) The secretary of state's office shall direct eligible voters to a local election**
42 **authority's system to accept voter registration applications electronically if the local**
43 **election authority has a system in place as of the effective date of this section or implements**
44 **a system that meets the same standards and format that has been approved by the**
45 **committee for the secretary of state's system;**

46 **(5) The committee shall meet not less than semi-annually through June 30, 2018,**
47 **to recommend and approve changes and enhancements proposed by the secretary of state**
48 **or election authorities to the electronic voter registration application system. Vacancies**
49 **that occur on the committee shall be filled by the president of the Missouri association of**
50 **county clerks and election authorities at the time of the vacancy;**

51 **(6) To improve the accuracy of voter registration application data and reduce costs**
52 **for local election authorities, the system maintained by the secretary of state shall, as soon**
53 **as is practical, provide a method where the data entered by the voter registration applicant**

54 does not have to be re-entered by the election authority to the state voter registration
55 database.

56 3. Each applicant who registers using an approved electronic voter registration
57 application system shall be deemed to be registered as of the date the signed application
58 is submitted to the system, if such application is accepted and not rejected by the election
59 authority and the verification notice required under section 115.155 is not returned as
60 undeliverable by the postal service.

61 4. This section shall not apply to voter registration and absentee records submitted
62 by voters authorized under federal law, section 115.291, or sections 115.900 to 115.940 to
63 submit electronic records and signatures.

64 5. High quality copies, including electronic copies, of signatures made on paper
65 documents may be used for petition signature verification purposes and retained as
66 records.

67 6. Any signature required for petition submission under chapter 116 shall be
68 handwritten on a paper document.

69 7. Notwithstanding the provisions of section 432.230, nothing in this section shall
70 require the election authority to accept voter registration records or signatures created,
71 generated, sent, communicated, received, stored, or otherwise processed, or used by
72 electronic means or in electronic form from any officer, agency, or organization not
73 authorized under subsection 2 of this section without prior approval from the election
74 authority. Except as provided in subsection 2 of this section, no officer, agency, or
75 organization shall give the voter the opportunity to submit a voter registration application
76 with an electronic signature without first obtaining the approval of the local election
77 authority.

78 8. An election authority that agrees to conduct a transaction by electronic means
79 may refuse to conduct other transactions by electronic means.

80 9. No election authority or the secretary of state shall furnish to any member of the
81 public any data collected under a voter registration application system except as
82 authorized in subsection 1 of section 115.157.

83 10. Nothing in this section shall be construed to require the secretary of state to
84 cease operating a voter registration application in place as of the effective date of this act.

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