

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend 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

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."