

HB0392/705761/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 392

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Security of Election Systems” and substitute “Foreign Manufacture of Election Systems – Notification and Termination of Contract”; in line 7, after “States” insert “or if any material change to a component in any stage in the manufacturing of an election system occurred outside the United States”; strike beginning with “altering” in line 9 down through “date;” in line 26 and substitute “authorizing the State Administrator to terminate, in whole or in part, a contract with an election service provider under certain circumstances; requiring the State Administrator to notify certain persons in writing of a certain contract termination and the reasons for the termination within a certain time period;”; strike beginning with “the” in line 27 down through “systems” in line 28 and substitute “foreign manufacture of election systems”.

On page 2, strike in their entirety lines 4 through 8, inclusive; and in line 16, strike “and” and substitute “now, therefore,”.

On pages 2 and 3, strike in their entirety the lines beginning with line 17 on page 2 through line 7 on page 3, inclusive.

AMENDMENT NO. 2

On page 4, after line 11, insert:

“(7) “FOREIGN NATIONAL” INCLUDES:

“(1) AN INDIVIDUAL WHO IS A CITIZEN OF A FOREIGN COUNTRY; AND

(Over)

(II) AN INDIVIDUAL, A PARTNERSHIP, AN ASSOCIATION, A CORPORATION, AN ORGANIZATION, OR ANY OTHER COMBINATION OF INDIVIDUALS ORGANIZED UNDER THE LAWS OF OR HAVING ITS PRINCIPAL PLACE OF BUSINESS IN A FOREIGN COUNTRY.”;

in line 14, after “IF” insert “:

(1)”;

in line 16, after “STATES” insert “; OR

(2) ANY MATERIAL CHANGE TO A COMPONENT IN ANY STAGE IN THE MANUFACTURING OF THE ELECTION SERVICE PROVIDER’S ELECTION SYSTEM OCCURRED OUTSIDE THE UNITED STATES AT ANY TIME FOR THE DURATION OF THE CONTRACT”;

and after line 29, insert:

“(E) ON A DETERMINATION BY THE STATE ADMINISTRATOR THAT A FOREIGN NATIONAL HAS THE ABILITY TO CONTROL, INFLUENCE, OR DIRECT THE MANUFACTURING OF AN ELECTION SYSTEM IN ANY MANNER THAT WOULD COMPROMISE OR INFLUENCE, OR GIVE THE APPEARANCE OF COMPROMISING OR INFLUENCING, THE INDEPENDENCE AND INTEGRITY OF AN ELECTION, THE STATE ADMINISTRATOR MAY TERMINATE, IN WHOLE OR IN PART, THE CONTRACT WITH THE ELECTION SERVICE PROVIDER.

(F) WITHIN 7 DAYS AFTER THE STATE ADMINISTRATOR EXERCISES THE AUTHORITY TO TERMINATE, IN WHOLE OR IN PART, A CONTRACT WITH AN ELECTION SERVICE PROVIDER UNDER SUBSECTION (E) OF THIS SECTION, THE STATE ADMINISTRATOR SHALL NOTIFY THE APPROPRIATE PERSONS IN WRITING

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**OF THE TERMINATION OF THE CONTRACT AND THE STATE ADMINISTRATOR'S
REASONS FOR TERMINATING THE CONTRACT.**

AMENDMENT NO. 3

On pages 5 through 10, strike in their entirety the lines beginning with line 1 on page 5 through line 28 on page 10, inclusive.

On page 10, in line 29, strike "3." and substitute "2.".