JAN 1 9 2024'

A BILL FOR AN ACT

RELATING TO ELECTION AUDITS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The legislature finds that existing law
- 2 requires the chief election officer, as a condition of using an
- 3 electronic voting system to create an electronic tally of
- 4 ballots, to audit the vote counts in ten per cent of the
- 5 precincts where an electronic voting system was used and select
- 6 the precincts to audit at random. The legislature also finds
- 7 that existing law requires the chief election officer to conduct
- 8 the audit of the randomly selected precincts by comparing
- 9 electronic tally amounts against the original paper ballots.
- 10 The legislature further finds that using accurate copies of
- 11 paper ballots, rather than the original paper ballots, to
- 12 conduct the audits will increase the efficiency of the audits
- 13 without compromising their precision.
- 14 Accordingly, the purpose of this Act is to allow the chief
- 15 election officer to use accurate copies of paper ballots, rather
- 16 than the originals, when conducting a precinct audit of an
- 17 electronic voting system's tally.



S.B. NO. 2333

1	DECTION 2. Deccion 10-42, nawall Revised Beacaces, is		
2	amended by	y amending subsection (b) to read as follows:	
3	"(b)	The chief election officer may rely on electronic	
4	tallies c	reated directly by electronic voting systems, in lieu	
5	of counti	ng the paper ballots by hand or with a mechanical	
6	tabulation system if:		
7	(1)	The electronic voting system is subject to inspection,	
8		audit, and experimental testing, by qualified	
9		observers, before and after the election, pursuant to	
10		administrative rules adopted by the chief election	
11		officer under chapter 91;	
12	(2)	No upgrades, patches, fixes, or alterations shall be	
13		applied to the system through thirty days after the	
14		election;	
15	(3)	The chief election officer conducts a post-election,	
16		pre-certification audit of a random sample of not less	
17		than ten per cent of the precincts employing the	
18		electronic voting system, to verify that the	
19		electronic tallies generated by the system in those	
20		precincts equal hand tallies of the paper ballots	
21		generated by the system in those precincts; [and]	

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1		provided that accurate copies of the paper ballots,
2		including accurate electronic copies, may be used in
3		place of the paper ballots when verifying that the
4		electronic tallies are equal to the hand tallies of
5		the paper ballots; and
6	(4)	If discrepancies appear in the pre-certification
7		audits in paragraph (3), the chief election officer,
8		pursuant to administrative rules, shall immediately
9		conduct an expanded audit to determine the extent of
10		misreporting in the system."
11	SECT	ION 3. Statutory material to be repealed is bracketed
12	and stricken. New statutory material is underscored.	
13	SECT	ION 4. This Act shall take effect upon its approval.
14		INTRODUCED BY:
		INTRODUCED BY:

S.B. NO. 2333

Report Title:

Chief Election Officer; Election Audits; Electronic Voting System; Electronic Tally of Ballots

Description:

Allows the Chief Election Officer to use accurate copies of paper ballots, rather than the originals, when conducting a precinct audit of an electronic voting system's tally.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.