

'JAN 19 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.



1 SECTION 2. Section 16-42, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The chief election officer may rely on electronic
4 tallies created directly by electronic voting systems, in lieu
5 of counting 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]



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.

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