AN ACT
RELATING TO ELECTIONS --POST-ELECTION AUDITS

Introduced By: Representatives Ajello, Regunberg, Chippendale, Craven, and Tanzi

Date Introduced: March 01, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 17-19 of the General Laws entitled "Conduct of Election and Voting Equipment, and Supplies" is hereby amended by adding thereto the following section:


(a) The general assembly hereby finds, determines, and declares that auditing of election results is necessary to ensure effective election administration and public confidence in the election results. Further, risk-limiting audits provide a more effective manner of conducting audits than traditional audit methods in that risk-limiting audit methods typically require only limited resources for election races with wide margins of victory while investing greater resources in close races.

(b) Commencing in 2018 the board is required to conduct risk-limiting audits after all primary, general and special elections in accordance with the requirements of this section.

(c) The audit program shall be conducted as follows:

(1) The board shall determine what local, multijurisdictional, statewide and federal contests are subject to a risk-limiting audit;

(2) The board shall provide at least a five (5) day public notice of the time and place of the random selection of the audit units to be manually tallied and of the times and places of the audit;

(3) The board shall make available to the public a report of the vote tabulating device results for the contest, including the results for each audit unit in the contest, prior to the random
selection of audit units to be manually tallied and prior to the commencement of the audit;

(4) The state board in conjunction with the local boards shall conduct the audit upon

tabulation of the unofficial final results as provided in §§17-19-36 and 17-19-37 and complete the

audit within seven (7) days after the election; and

(5) The board in conjunction with the local boards shall conduct the audit in public view

by hand without the use of electronic scanning equipment according to rules established by the

state board.

(d) If a risk-limiting audit of a contest leads to a full manual tally of the ballots cast using

the voting system, the vote counts according to that manual tally shall replace the vote counts

reported pursuant to §§17-19-36 and 17-19-37 for the purpose of determining the official contest

results pursuant to §§17-22-5.2 and 17-22-6.

(e) For purposes of this section, the following terms have the following meanings:

(1) "Audit unit" means a precinct, a set of ballots, or a single ballot. A precinct, a set of

ballots, or a single ballot may be used as an audit unit for purposes of this section only if all of the

following conditions are satisfied:

(i) The relevant vote tabulating device is able to produce a report of the votes cast in the

precinct, set of ballots, or single ballot.

(ii) The elections official is able to match the report described in subsection (i) of this

section with the ballots corresponding to the report for purposes of conducting an audit pursuant

to this section.

(iii) Each ballot is assigned to not more than one audit unit.

(2) "Contest" means an election for an office or for a measure.

(3) "Risk-limiting audit" means a manual tally employing a statistical method that

ensures a large, predetermined minimum chance of requiring a full manual tally whenever a full

manual tally would show an electoral outcome that differs from the outcome reported by the vote

tabulating device for the audited contest. A risk-limiting audit shall begin with a hand tally of the

votes in one or more audit units and shall continue to hand tally votes in additional audit units

until there is strong statistical evidence that the electoral outcome is correct. In the event that

counting additional audit units does not provide strong statistical evidence that the electoral

outcome is correct, the audit shall continue until there has been a full manual tally to determine

the correct electoral outcome of the audited contest.

(4) "Unofficial final results" means election results tabulated pursuant §§17-19-36 and

17-19-37.

(f) The state board shall promulgate rules, regulations and procedures necessary to
implement this section.

SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO ELECTIONS --POST-ELECTION AUDITS

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1 This act would authorize the board of elections to establish a post-election risk-limiting audit program to improve the accuracy of election results.
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3 This act would take effect upon passage.

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