
**State Government & Tribal Relations
Committee**

HB 1821

Brief Description: Concerning postelection audit reports.

Sponsors: Representatives Appleton, Hudgins, Dolan and Pellicciotti.

Brief Summary of Bill

- Requires county auditors to create post-election audit reports for each election using a form created by and submitted to the Secretary of State (Secretary).
- Requires the Secretary to compile and publish all post-election county auditor reports in a statewide report.

Hearing Date: 1/17/20

Staff: Carrington Skinner (786-7192).

Background:

Elections are generally conducted by county auditors as *ex officio* county supervisors of elections, with returns canvassed by the county canvassing board. For elections involving state or federal offices, or legislative or judicial offices whose jurisdiction encompasses more than one county, the county auditor must transmit an official county canvass report to the Secretary of State (Secretary) that includes the election certification, an abstract of votes (which includes vote totals), a reconciliation report, and a narrative of errors and discrepancies.

In addition, before the county canvassing board certifies an election result, which must be done within a specified time depending on the type of election, a county auditor must conduct:

- an audit of duplicated ballots, which are created when a ballot is damaged or otherwise unreadable; and

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- an audit of ballots or equipment using at least one of four specified methods, which include a risk-limiting audit and an independent electronic audit of the original ballot counting equipment used in the county.

For each of the audit methods, the Secretary is required to adopt procedures that specify what actions must be taken when an audit results in a discrepancy. The Secretary is further required to establish rules to administer auditing methods, including facilitating public observation and reporting requirements.

Summary of Bill:

Each county auditor is required to produce an audit report for each special, primary, or general election. The Secretary must create a report form to be used by county auditors. At the time an election is certified, county auditors must post the report on the county website.

This audit report must include:

- the type of audit performed;
- the number of ballots audited, along with the number of ballots counted using each of the audited voting systems;
- ballot races or issues included in the audit; and
- certain information for each audit sample, including the number of ballots duplicated, the investigation of discrepancies, and the most recent date of election administration training of individuals who observed or conducted the audit.

County auditors are required to submit the audit report to the Secretary no later than one day prior to election certification. Once the report is submitted, it must be available for public inspection. The Secretary must review the report and may direct the county auditor to conduct additional audits. The Secretary may instruct a county canvassing board to delay certification by no more than 10 days beyond statutory timelines so that an additional audit can be completed.

The Secretary must compile the county audit reports and create a statewide report for each election, which must be published on the Secretary's website no later than one month after the last county's election results have been certified. This statewide report must include:

- data from each county's audit report, along with data that can be compared to measure performance and trends;
- recommendations for improving election administration policy; and
- other information the Secretary deems useful to develop a better understanding of election administration and policy.

Appropriation: None.

Fiscal Note: Requested on January 13, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.