H-1368.1

HOUSE BILL 1978

State of Washington   **69th Legislature**   **2025 Regular Session**

By Representatives Chase, Waters, Marshall, Schmidt, Volz, and Ley

Read first time 02/14/25. Referred to Committee on State Government & Tribal Relations.

1   AN ACT Relating to transparency in election tabulation devices;
2 adding a new section to chapter 29A.12 RCW; and creating a new
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5   NEW SECTION. **Sec. 1.** The legislature finds that transparency to
6 the public is of utmost importance in maintaining confidence that the
7 votes cast in our elections are counted accurately. In the most
8 recent elections, there have been much criticism of the lack of
9 accurate vote counts. A lack of faith in election results causes many
10 enfranchised citizens to not participate in elections.
11   Businesses that manufacture hardware or software devices do not
12 currently share their source codes with the public. The legislature
13 finds that requiring election tabulation equipment vendors to make
14 source codes available to members of the general public, upon
15 request, will increase transparency in election results and increase
16 voter confidence with election outcomes.

17   NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.12
18 RCW to read as follows:
19   (1) Any contract with a vendor of ballot tabulation machines,
20 ballot tabulation hardware, or ballot tabulation software must

1   include a provision requiring the vendor to provide the county
2   auditor with the source code for the program used in the ballot
3   tabulation machine, ballot tabulation hardware, or ballot tabulation
4   software. To the extent that the source code is not deemed
5   confidential, and its disclosure is not prohibited, under this title
6   or chapter 42.56 RCW, the county auditor shall make the source code
7   available for public inspection and copying.
8   (2) For the purpose of this section, "source code" means a
9   computer program in its original programming language written in the
10 form of functions, descriptions, definitions, calls, methods, and
11 other operational statements that describes sequences of specific
12 actions that a computer interprets and executes to perform a specific
13 task.

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