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## **OLR Bill Analysis**

### **sSB 901**

#### ***AN ACT CONCERNING POST-ELECTION AUDITS.***

#### **SUMMARY:**

The law requires registrars of voters to audit the state's voting districts, selected through random drawing, after a regular federal, state, or municipal election or primary. This bill:

1. eliminates the requirement that registrars conduct the audits manually, instead requiring them to use a voting tabulator;
2. reduces, from 10% to 5%, the minimum percentage of voting districts in the state, municipality, or district, whichever applies, that must be audited;
3. eliminates a provision under which only certain elective offices are subject to the audit;
4. lifts the ban on auditing districts where an office is subject to a recanvass (recount) or an election or primary contest; and
5. prohibits more than three districts in a municipality (whether wholly or partially in the municipality) from being audited.

The bill requires that the tabulator registrars use for the audit be different than the one used for the election or primary, whichever applies.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2013

#### **BACKGROUND**

##### ***Offices Subject to the Audit***

The offices currently subject to the audit in the selected districts are:

1. in a presidential or gubernatorial election, all offices required to be audited by federal law, plus one additional office selected in a random drawing by the secretary of the state, but in no case fewer than three offices;
2. in a municipal election, three offices or 20% of the offices on the ballot, whichever is greater, selected at random by the town clerk; and
3. in a primary election, all offices required to be audited by federal law, plus one additional office, if any, but at least 20% of the offices on the ballot, selected at random by the town clerk.

### ***Conducting the Audit***

The audit consists of a tally of the ballots that each audited voting machine casts and counts. Registrars must compare their results to those that the audited machine shows and report the results to the secretary of the state, who forwards them to UConn for analysis. UConn describes any discrepancies it finds in a written report to the secretary.

The secretary must have an audited machine examined and recertified if the (1) UConn report indicates that a system failed to record votes accurately and in the manner provided by law or (2) registrars are unable to reconcile any discrepancies between their count and the audited machine counts.

In addition, the secretary (or the State Elections Enforcement Commission when the secretary's office is being audited) must order a recount if there is a (1) discrepancy in the votes for a federal, state, or local office that could affect the outcome of the election or primary and (2) difference between the audited machine and registrars' counts greater than 0.5% that cannot be resolved by adding or subtracting ballots that were improperly marked.

### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 0 (03/27/2013)