

Government Administration and Elections Committee

JOINT FAVORABLE REPORT

Bill No.: SB-472

AN ACT CONCERNING THE RECOMMENDATIONS OF THE RISK-LIMITING

Title: AUDITS WORKING GROUP.

Vote Date: 3/29/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/25/2022

File No.:

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SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

To carry out the recommendations made by the Risk-Limiting Audits Working Group for future elections.

RESPONSE FROM ADMINISTRATION/AGENCY:

Denise Merrill, Secretary of State, State of Connecticut: While Secretary of State Denise Merrill expects that S.B. 472 will implement the recommendations of the working group that was created last year to test "one or more methods of risk-limiting audits," Secretary Merrill believes that "there is still work to be done." Secretary Merrill also argues that the "implementation time of the task force is far too soon," as this is a "complicated procedure" that requires "at least one additional cycle...prior to implementation." More specifically, the language used in S.B. 472 "fundamentally misunderstands the goal of Risk-Limiting Audits," which is to make sure "that the candidate that got the most votes is actually the winner of the election." In conclusion, Secretary Merrill argues that "voters' faith in the results" of state elections will be "dramatically" increased through the implementation of a "system of Risk-Limiting Audits for Connecticut."

NATURE AND SOURCES OF SUPPORT:

Alexander Russell (Director) and Ben Fuller (Co-Director), Center for Voting Technology Research, University of Connecticut: Alexander Russell and Ben Fuller "authored much of the report that led to" S.B. 472, after beginning to review risk-limiting audits in January 2021, which led to a pilot program that was "executed in January 2022." As strong advocates of risk-limiting audits (RLAs), Mr. Russell and Mr. Fuller believe that "they

provide a rigorous, but cost-effective, means for checking the veracity of an election and are designed to be transparent, so that observers can verify the audit procedure." According to Mr. Russell and Mr. Fuller, RLAs have led to "more transparent and trustworthy elections," and Connecticut is in a "unique position" because it has developed a "transitive tabulator," which "enables more efficient RLAs." Finally, Mr. Russell and Mr. Fuller ask that "RLAs first be implemented statewide for the 2024 election," due to them requiring "new equipment, training, and procedures." In conclusion, the Voter Center "requests several corrections" be made to S.B. 472 "that will not change the intent of the bill but make it consistent with language and procedures used in RLAs."

NATURE AND SOURCES OF OPPOSITION:

Sue Larsen, South Windsor Registrar of Voters, Registrar of Voters Association of Connecticut (ROVAC) Legislative Committee: While Sue Larsen "applaud[s]" risk limiting audits being used to assess the accuracy of an election, which "insure fair, accurate and transparent elections," there are some "general concerns" regarding S.B. 472 that "we would like to work with the [C]ommittee on." For example, there is concern about the "interaction between this new audit process and the existing audit processes and the potential cost it would have on municipalities." In conclusion, Ms. Larsen "sincerely hope[s]" that there will be "continued cooperation" between the Committee and ROVAC in order to "ensure that the Registrars are trained in the audit process in order for this to be the success we are all hoping for."

David Godbout: Does not support any bills.

Philip Stark, Department of Statistics, University of California: Philip Stark, who "invented risk-limiting audits (RLAs) in 2007," believes that S.B. 472 "should be re-drafted from scratch to require actual risk-limiting audits" because S.B. 472 uses "language [that] is not consistent with the findings and recommendations of the Connecticut Risk-Limiting Audits Working Group, with which I almost entirely agree."

John Marion, Executive Director of Common Cause Rhode Island; Mark Lindeman, Director of Verified Voting: While John Marion and Mark Lindeman believe that S.B. 472 will "implement the recommendations of the state's risk-limiting audits working group," there remains "grave concerns about whether the bill provides a viable path to effective implementation of risk-limiting audits (RLAs)." Therefore, Mr. Marion and Mr. Lindeman urge the Committee to put S.B. 472 "off entirely," as there is "limited time remaining in the legislative session" to make "significant revisions" to S.B. 472 in an effort to "provide sound definitions of key elements, to clarify requirements, and to allow ample planning and preparation." Mr. Marion and Mr. Lindeman also urge the Committee to "consider a narrower bill...that provides for a larger-scale pilot following the November election as a step toward requiring RLAs in the future."

Luther Weeks, Executive Director, Connecticut Citizens Election Audit: Luther Weeks believes that not only is S.B. 472 "ambiguous, confusing, costly and definitely not a Risk Limiting Audit (RLA) based on any recognized definition of that term," but it is also "inconsistent with the recommendations of the CT RLA Working Group." Therefore, Mr. Weeks recommends that S.B. 472 "be scrapped and that next year, the new Secretary of the State's Office and the UConn Voter Center, meet with registrars and nationally recognized

experts in RLAs to create a workable bill that could create *justified confidence* in our elections."

Reported by: Austin Hyatt

Date: 3/29/2022