

SB 944 -1 STAFF MEASURE SUMMARY

Senate Committee On Rules

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Meeting Dates: 4/10, 5/13

WHAT THE MEASURE DOES:

Requires county clerk, following primary, general or special election, to conduct hand count audit or risk-limiting audit.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Prohibits risk-limiting audit from relying on scanned image of ballot, or machine interpretation of marks on ballot, to interpret elector intent.

BACKGROUND:

After each general election, ORS 254.529 requires county clerks to conduct a limited hand count of ballots and compare the results with the results produced by the vote tally system. If the hand count results in a difference that is less than or equal to one-half of one percent, the voting record produced by the vote tally system is the official tally. If, after two rounds of hand counts, a difference greater than one-half of one percent remains, all of the ballots must be counted by hand and the results of this hand count is ultimately certified.

Senate Bill 944 requires that an audit be conducted after every election, whether primary, general or special. The bill also authorizes, as an alternative to a hand count audit, a risk-limiting audit. Under the bill, a risk-limiting audit is defined as "a set of procedures to ensure that the risk does not exceed the risk limit." The bill also includes several specifications of a risk-limiting audit, including that the risk-limiting audit be observable to the public and be based on direct visual human examination of elector-marked ballots.