

SB 944 A STAFF MEASURE SUMMARY

Carrier: Sen. Frederick

Senate Committee On Rules

Action Date: 05/13/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 3-0-0-2

Yeas: 3 - Burdick, Dembrow, Roblan

Abs: 2 - Baertschiger Jr, Boquist

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

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:

- Integrity of elections

EFFECT OF AMENDMENT:

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 A 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.