

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	6 - 0 - 2
<b>Yeas:</b>	Berger, Edwards C., Gelser, Nolan, Read, Roblan
<b>Nays:</b>	0
<b>Exc.:</b>	Garrard, Jenson
<b>Prepared By:</b>	Jerry Watson, Administrator
<b>Meeting Dates:</b>	4/3, 4/6, 4/20

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**WHAT THE MEASURE DOES:** Allows county clerk to electronically scan ballots into a vote tally system no sooner than the seventh day before the date of an election in accordance with security plan approved by Secretary of State. Requires county clerk to add security procedures to county elections security plan for electronically scanning ballots before the date of an election. Requires county clerk to conduct public certification test immediately prior to scanning ballots. Prohibits electronic scan of ballots prior to date of election unless Secretary of State reviews and approves security plan. Requires preparatory test of machine and public certification test of vote tally system to be conducted no later than seven days before an election.

**ISSUES DISCUSSED:**

- Cost and efficiency of existing system
- Security issues involving early release of information
- Public oversight of scanning process

**EFFECT OF COMMITTEE AMENDMENT:** Clarifies that ballots will be scanned into a vote tally system. Requires county clerk to conduct public certification test immediately prior to scanning any ballots. Eliminates proposed provision requiring test of voting machine be conducted not later than 10 business days before an election. Requires preparatory test of machine and public certification test of vote tally system to be conducted no later than seven days before an election, rather than five days as allowed by current law.

**BACKGROUND:** Proponents of House Bill 3451 assert that in some crowded elections, county clerks in larger counties have been overwhelmed with ballots on Election Day, causing significant delays in ballot tabulation and the timely release of official election results. House Bill 3451-A would allow early scanning of ballots into a vote tally system. Concerns were expressed about the security of early ballot scanning and problems that would be created if tally results were released early. Proponents assert that allowing votes to be scanned into an approved vote tally system prior to the date of the election would streamline the tabulation process, expand the time available for vote validation, and alleviate delays in tabulating and reporting results, while at the same time providing appropriate oversight and security.

4/28/2009 1:39:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*