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April 9, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20074

**TO:** All County Clerks/Registrars of Voters  
**FROM:** /s/ Susan Lapsley  
Deputy Secretary of State and Counsel  
**RE:** Voting Systems: OVSTA Monthly Update – April 2020

Each month, the Office of Voting Systems Technology Assessment (OVSTA) provides an update on Election Assistance Commission (EAC) and Secretary of State (SOS) activities related to voting technology.

Each update provides information on:

- Voting technology related events that may be of interest.
- Administrative approval requests and denials since the prior month's update.
- Voting technology testing and approval at the SOS office.
- Defect, failure, and fault reports issued since the prior month's update.
- Ballot printing certification requests since the prior month's update.

### **Recent and Upcoming Events**

Danielle Rodriguez, Staff Services Analyst, has joined the OVSTA team effective April 1, 2020. Danielle previously worked as Student Assistant for the California Secretary of State's Office, in a variety of departments, since May of 2016.

The Secretary of State has promulgated regulations related to conducting Risk-Limiting Audits, which are in effect as of March 5, 2020. These regulations establish the procedures for conducting risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, Presidential Primary Election. The final version of these regulations is available on the Secretary of State's website, [here](#).

**Canvass Extension-** Governor Newsom issued Executive Order N-34-20 on March 20, 2020, which in addition to other things, extends all deadlines associated with the official canvass of the March 3, 2020, Presidential Primary Election by 21 days. Based on the Executive Order, updates to canvass-related deadlines can be found in the March 3, 2020, Presidential Primary Election Calendar, [here](#).

**Post-Election Reports-**As a reminder, counties are required to provide the following post-election reports to the Secretary of State:

- Voting System Incidents – California Elections Code section 19215 requires California jurisdictions to notify the Secretary of State of any defect, fault, or failure within 30 days.
- Remote Accessible Vote by Mail (RAVBM) – Condition 9 of the RAVBM certifications requires California jurisdictions that use a remote accessible vote by mail system to provide a report to the Secretary of State, within 30 calendar days of certifying the election results, listing the number of voters that used the system and all technical issues reported (if any) along with any mitigations.
- One Percent Manual Tally – California Elections Code section 15360(f) requires a report on the results of the 1 percent manual tally in the certification of the official canvass of the vote. This report shall identify any discrepancies between the machine count and the manual tally and a description of how each of these discrepancies was resolved.
  - Or Risk Limiting Audit – [California Elections Code section 20125](#) requires an elections official conducting an RLA to report the results of the audit in the certification of the official canvass of the vote.

**Voting Technology Testing and Approvals**

OVSTA receives and reviews applications for certification and approval from voting technology vendors on a continuous basis. The status of current applications can be found below:

System	Type	Applicant	Submission Date	Testing Phase
Precinct Central 4.5.0	ePollBook	Tenex Software Solutions, Inc.	3/9/2020	Pre-Testing Statement of Work
Voting Solutions for All People 2.1	Voting System	Los Angeles County	2/27/2020	Pre-Testing Bid Solicitation

Voting Solutions for All People Interactive Sample Ballot (ISB) 2.5	RAVBM	Los Angeles County	3/16/2020	Pre-Testing Planning
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**Administrative Approval Requests and Approvals**

There were no Administrative Approval Requests received in the month of March. Information regarding administrative approval requests can be found [here](#).

**Testing and Certification at the EAC**

The EAC provides [updates](#) on voting system testing. The latest update from the EAC was provided on January 28, 2020. However, based upon discussions with vendors, no systems currently undergoing testing and certification at the EAC are relevant to California.

Additional specifics regarding each voting system are available at: "[Voting Systems Under Test](#)" and "[Certified Voting Systems](#)".

On March 27, 2020, the EAC held a hearing to discuss proposed Voluntary Voting System Guidelines (VVSG) 2.0 Requirements that were submitted by the Technical Guidelines Development Committee (TGDC). The VVSG 2.0 Requirements are currently available for a 90-day public comment period. More information on the VVSG 2.0 requirements are available [here](#).

**Defects, Failures, and Faults**

A defect was identified in the Hart Verity 3.1 voting system, by a California jurisdiction during the March 3, 2020 Presidential Primary Election. The defect temporarily prevented the affected jurisdiction from tabulating ballots. Hart was able to immediately provide a temporary mitigation to the defect for the affected jurisdiction. Hart is working to provide a permanent solution to the defect ahead of the November 3, 2020, General Election.

**Ballot Printing Certification Requests and Approvals**

There were no ballot printing certification requests or approvals in March. A list of certified ballot printers can be found [here](#).

### **Ballot on Demand Printing Requests and Approvals**

OVSTA received a request from Contra Costa County to install Dominion's MBP 5.10 ballot on demand system on March 2, 2020. The application is under review. A list of certified ballot on demand systems and jurisdictions can be found [here](#).

### **Electronic Poll Book Certification Requests and Approvals**

OVSTA received an application from Tenex requesting approval of their new Precinct Central 4.5.0 electronic poll book system on March 9, 2020. The application is under review. A list containing certified electronic poll book vendors can be found [here](#).

### **Notes and Reminders**

**Election Record Retention-** As a reminder, pursuant to California Elections Code sections 17301-17306, the retention and preservation of election records, which includes digital ballot images is 22 months. Several voting system tabulation components are capable of producing digital ballot images. Additional information regarding how to backup, retain, and preserve the digital ballot images, and whether or not your jurisdiction's voting system has this capability, can be found in the respective Use Procedures, [here](#).

**Disposal or Sale of Equipment-** Regarding the disposal or sale of equipment:

- In 2012, the California Secretary of State issued guidance regarding the disposition or sale of equipment purchased with HAVA and/or VMB funding. See Secretary of State (SOS) County Clerk/Registrar of Voters (CC/ROV) Memorandum #12219 - Handling the Sale and Funds from the Sale of Voting Systems or Voting Equipment. The document outlines proper disposal or sale procedures of voting systems or voting equipment purchased with HAVA and/or VMB funding. The document also highlights that all equipment must be void of any software or firmware and returned to a condition of a non-functioning piece of hardware prior to its disposal or sale.
- See also the US-CERT issued [Security Tip \(ST18-005\)](#) outlining proper disposal procedures for electronic devices.