

## **Butte County 1 % Manual Hand Tally**

California Elections Code Section 15360 states that: During the official canvass of every election in which a voting system is used, the official conducting the election shall conduct a public manual tally of the ballots tabulated by those devices in 1% of the batches chosen at random by the elections official. If 1% of the batches should be less than one batch, the tally shall be conducted in one batch chosen at random by the elections official. Additional batches for the manual tally may be selected at the discretion of the elections official.

The 1% manual hand tally performed in Butte County consists of a random draw of 1% of the batches in for Vote By Mail Ballots and 1% of the batches for Voter Assistance Center Ballots. This hand tally represents ballots cast on the ICX ballot marking devices, on paper at the Voter Assistance Centers, and vote by mail and all contests are counted. We also perform a random draw of 1% of the mailed ballot precincts and all races are counted.

In addition to the 1% hand tally, the elections official shall, for each contest not included in the initial group of precincts, count one additional precinct. The manual tally shall apply only to the contest not previously counted.

### **Contests Tallied – November 3, 2020 General Election**

Pursuant to California Election Code Sections 336.5 and 15360

#### **Vote by Mail Ballots - Full Count of Candidates, Propositions and Measures**

##### **Reader 2 Batch 1**

Balanced on first pass.

##### **Reader 2 Batch 60**

Balanced on first pass.

##### **Reader 9 Batch 91**

Balanced on first pass.

##### **Reader 10 Batch 26**

Balanced on first pass.

#### **Voter Assistance Center Batches - Full Count of Candidates, Propositions and Measures**

##### **Reader 6 Batch 4**

Balanced on first pass.

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## Applicable California Election Codes Regarding Manual Hand Tally

### 336.5 "One percent manual tally" definition.

"One percent manual tally" is the public process of manually tallying votes in 1 percent of the precincts, elected at random by the elections official, and in one precinct for each race not included in the randomly selected precincts. This procedure is conducted during the official canvass to verify the accuracy of the automated count.

### 15360. Manual tally when using a voting system.

(a) During the official canvass of every election in which a voting system is used, the official conducting the election shall conduct a public manual tally of the ballots tabulated by those devices, including vote by mail ballots, using either of the following methods:

(1) (A) A public manual tally of the ballots, including vote by mail ballots, cast in 1 percent of the precincts chosen at random by the elections official. If 1 percent of the precincts is less than one whole precinct, the tally shall be conducted in one precinct chosen at random by the elections official.

(B) (i) In addition to the 1 percent manual tally, the elections official shall, for each race not included in the initial group of precincts, count one additional precinct. The manual tally shall apply only to the race not previously counted.

(ii) Additional precincts for the manual tally may be selected at the discretion of the elections official.

(2) A two-part public manual tally, which includes both of the following:

(A) A public manual tally of the ballots, not including vote by mail ballots, cast in 1 percent of the precincts chosen at random by the elections official and conducted pursuant to paragraph (1).

(B) (i) A public manual tally of not less than 1 percent of the vote by mail ballots cast in the election. Batches of vote by mail ballots shall be chosen at random by the elections official.

(ii) For the purposes of this section, a "batch" means a set of ballots tabulated by the voting system devices, for which the voting system can produce a report of the votes cast.

(iii) (i) In addition to the 1 percent manual tally of the vote by mail ballots, the elections official shall, for each race not included in the initial 1 percent manual tally of vote by mail ballots, count one additional batch of vote by mail ballots. The manual tally shall apply only to the race not previously counted.

(ii) Additional batches for the manual tally may be selected at the discretion of the elections official.

(b) If vote by mail ballots are cast on a direct recording electronic voting system at the office of an elections official or at a satellite location of the office of an elections official pursuant to Section 3018, the official conducting the election shall either include those ballots in the manual tally conducted pursuant to paragraph (1) or (2) of subdivision (a) or conduct a public manual tally of those ballots cast on no fewer than 1 percent of all the direct recording electronic voting machines used in that election chosen at random by the elections official.

(c) The elections official shall use either a random number generator or other method specified in regulations that shall be adopted by the Secretary of State to randomly choose the initial precincts, batches of vote by mail ballots, or direct recording electronic voting machines subject to the public manual tally.

(d) The manual tally shall be a public process, with the official conducting the election providing at least a five-day public notice of the time and place of the manual tally and of the time and place of the selection of the precincts, batches, or direct recording electronic voting machines subject to the public manual tally prior to conducting the selection and tally.

(e) The official conducting the election shall include 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. In resolving any discrepancy involving a vote recorded by means of a punchcard voting system or by electronic or electromechanical vote tabulating devices, the voter verified paper audit trail shall govern if there is a discrepancy between it and the electronic record.

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