

Vote Modernization Board Hearing

Statement on Notice of Withdrawal of Certification and Conditional Approval of Voting Systems

On February 27, 2019, Secretary of State Alex Padilla initiated the process for withdrawing certification or conditional approval of voting systems that were not tested or certified under the most recent state security standards.

The Secretary of State, pursuant to the authority granted in Elections Code Section 19232 withdraws certification and conditional approval of all California voting systems, in whole or in part, not tested and certified to the California Voting System Standards (CVSS), effective August 27, 2019. Elections Code section 19232 states that “the Secretary of State may decertify any voting system or part thereof, determined to be defective, obsolete, or unacceptable.” The voting systems being decertified contain obsolete hardware and software components, and employ end-of-life operating systems that are no longer supported. This Notice of Withdrawal does not apply to other voting technology such as Remote Accessible Vote By Mail systems (RAVBMs) or Electronic PollBooks.

As of today, three voting systems have been tested and certified to CVSS:

1. Dominion Voting Systems, Inc. – Democracy Suite 5.2 Voting System
2. County of Los Angeles – Voting Solutions for All People (VSAP) Tally 1.0; and
3. HART InterCivic, Inc. – Verity Voting 3.0.1 Voting System.

Additionally, the following voting systems are currently being reviewed and tested to CVSS:

1. Dominion Voting Systems, Inc. – Democracy Suite 5.10;
2. County of Los Angeles – Voting Solutions for All People (VSAP) Tally Version 2.0; and
3. Election Systems and Software, Inc. – EVS 6.0.4.2

Hearing

The Secretary of State calls for a public hearing to provide interested persons an opportunity to express their views regarding the withdrawal of certification and conditional approval of voting systems not tested and certified to CVSS. The hearing will take place, Tuesday, March 19, 2019 at the State Capitol, 1315 10th Street, Room 3191, here in Sacramento. For those unable to attend in person, written comment will be accepted via U.S mail, hand delivery to our office at 1500 11th Street, 6th Floor or by e-mailing it to votingsystems@sos.ca.gov by 5:00 p.m. on March 27, 2019.

Request for Conditional Approval for Extension of Use

The Secretary of State acknowledges that there may be circumstances that may hinder a jurisdiction from implementing a CVSS certified voting system by February 27, 2020, including, but not limited to, delays in the procurement process or a county budget. As such, counties can submit a written Request for Conditional Approval for Extension of Use for elections scheduled after February 27, 2020. The request must be submitted by April 5, 2019, and must include the following:

1. The jurisdiction's justification for Conditional Approval for Extension of Use.
2. The jurisdiction's plan and schedule to implement a CVSS certified voting system, which shall include at a minimum:
 - a. Executive Summary
 - b. Procurement Schedule
 - c. Staff Training Schedule
 - d. Implementation Date

Key Dates

February 27, 2019 to March 28, 2019 – Written public comment period.

March 19, 2019 – Public Hearing

April 5, 2019 - Request for Conditional Approval for Extension of Use deadline.

August 27, 2019 – Withdrawal Effective

August 27, 2019 to February 27, 2020 – Elections scheduled six months from August 27, 2019, shall not be affected by this action. Therefore, and federal, state, county municipal, district, or school election scheduled from August 27, 2019 until February 27, 2020, may continue to use voting systems not tested and certified to CVSS.

February 28, 2020 – Voting systems not tested and certified to CVSS may no longer be used, except for those jurisdictions that have received a Conditional Approval for Extension of Use by the SOS.