

**FINAL  
FISCAL NOTE**

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<b>Drafting Number:</b> LLS 09-0924	<b>Date:</b> June 19, 2009
<b>Prime Sponsor(s):</b> Rep. Todd; Murray Sen. Williams	<b>Bill Status:</b> Signed into Law
	<b>Fiscal Analyst:</b> Bill Zepernick (303-866-4777)

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**TITLE:** CONCERNING REQUIREMENTS FOR VOTING EQUIPMENT.

**Summary of Legislation**

The bill declares the legislative intent that all new voting equipment be paper-based and that acquisition of electronic voting systems be suspended. Counties are allowed to continue using existing electronic voting equipment that was in use for the 2008 general election. The purchase of new electronic voting equipment or the modification of existing equipment is prohibited unless approved by the Secretary of State. The Secretary of State is required to promulgate rules concerning the use, purchase, and modification of electronic voting equipment.

All voting equipment must comply with the federal standards adopted in 2002, and the Secretary of State may require that voting equipment comply with standards adopted after January 2008 if the new standards meet or exceed the 2002 standards. The bill also sets definitions and outlines procedures for the certification of voting equipment by the Secretary of State. Information used by the Secretary of State to certify voting equipment shall be made available to the public, subject to any redaction required by law.

Current law requires that all voting systems provide a voter-verifiable paper record by January 2010. The bill extends this deadline to 2014 for counties that have not met this requirement as of January 2009. Beginning with the 2014 general election, each county is to conduct a statistic-based risk-limiting audit for elections as specified in the bill. The audit requirement may be waived by the Secretary of State if technology used by a county does not allow such an audit to be prepared for the 2014 general election.

The bill was signed by the Governor and became law on May 15, 2009.

**Assessment**

The bill is assessed as no fiscal impact. The Department of State can accomplish rule-making and other requirements of the bill using existing appropriations. Counties are allowed to continue using existing voting equipment that has been certified, and are not required to purchase new voting equipment under the bill. A small number of counties that do not have the capability of providing voter-verified paper receipts will receive more time to meet this requirement, and will not have to immediately purchase new voting equipment or retrofit existing voting equipment.

**Departments Contacted**

State