

# HOUSE BILL REPORT

## HB 2387

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**As Passed House:**  
February 12, 2018

**Title:** An act relating to mandatory election audits of ballot counting equipment.

**Brief Description:** Concerning mandatory election audits of ballot counting equipment.

**Sponsors:** Representatives Hudgins, Tarleton and Young.

**Brief History:**

**Committee Activity:**

State Government, Elections & Information Technology: 1/16/18, 1/23/18 [DP].

**Floor Activity:**

Passed House: 2/12/18, 98-0.

**Brief Summary of Bill**

- Makes the random check of ballot counting equipment mandatory, rather than optional.
- Requires that random check procedures include a process for expansion of an audit in cases where a discrepancy is found.

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**HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY**

**Majority Report:** Do pass. Signed by 9 members: Representatives Hudgins, Chair; Dolan, Vice Chair; McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member; Appleton, Gregerson, Irwin, Johnson and Pellicciotti.

**Staff:** Desiree Omlı (786-7105).

**Background:**

Random Check of Ballot Counting Equipment.

There are two types of audits conducted for an election. One type of audit is a random check of the ballot counting equipment used to tabulate ballots. The random check may be conducted at the discretion of the county auditor, or upon mutual agreement of the political

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party observers. Under the random check process, a manual count of ballots is compared to the machine count. The size of the random check may involve up to either three precincts or six batches. The county canvassing board must establish procedures for the random checks. The check must be completed no later than 48 hours after election day.

**Summary of Bill:**

Random Check of Ballot Counting Equipment.

A random check of the ballot counting equipment used to tabulate ballots must be conducted. The random check procedures must include a process for expanding the audit to include additional ballots when a random check results in a discrepancy between the manual count and the machine count. The procedures established must specify when a discrepancy will lead to an expanded audit, and the method to determine how many additional ballots will be selected.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Mandatory election audits ensure election integrity and transparency and bolster public confidence. There are many citizens who do not realize election audits of tabulation machines are already done, and they are robust audits. The bill makes the process consistent among auditors across the state and is a clear improvement over current law. To further improve it, the bill should require statewide procedures if a discrepancy is found during an audit, rather than have county procedures dictate the process. The bill covers machine counting only, but risk-limit audits will cover audits beyond that.

(Opposed) None.

**Persons Testifying:** Representative Hudgins, prime sponsor; Lori Augino, Office of the Secretary of State; Milene Henley, San Juan County Auditor's Office; Kathy Sakahara, League of Women Voters of Washington; and Julie Anderson, Washington Association of County Auditors.

**Persons Signed In To Testify But Not Testifying:** None.