

**SB0632/835364/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 632  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Contested Elections**” and substitute “**Postelection Procedures**”; and strike beginning with “prohibiting” in line 3 down through “circumstances;” in line 6.

On page 3, in line 1, after “committee;” insert “requiring the State Administrator of Elections to convene a Risk-Limiting Audits Workgroup; requiring the Workgroup to consist of certain persons selected by the State Administrator; requiring the State Administrator, or the State Administrator’s designee, to serve as chair of the Workgroup; requiring that the first meeting of the Workgroup be held on or before a certain date; requiring the Workgroup to draft a plan to conduct a risk-limiting audit of certain contests after each statewide election and proposed legislation for consideration by the General Assembly that would enact the plan; requiring the plan for conducting risk-limiting audits drafted by the Workgroup to include certain requirements and certain elements; requiring the Workgroup to submit its plan for conducting risk-limiting audits and its proposed legislation that would enact the plan to certain committees of the General Assembly on or before a certain date;”; in line 3, strike “contested elections” and substitute “postelection procedures”; and in line 11, strike “12-101(a), 12-103(a),”.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 19 on page 4 through line 3 on page 5, inclusive.

On page 5, in line 19, strike “0.1%” and substitute “**0.25%**”.

On page 15, after line 24, insert:

(Over)

“SECTION 2. AND BE IT FURTHER ENACTED, That:

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Electronic count” means the vote totals produced by the voting system.
- (3) “Manual count” means inspection of voter-verifiable paper records by hand and eye to obtain vote totals in a contest.
- (4) “Risk limit” means the small, predetermined maximum chance that a risk-limiting audit will not require a full manual count of voter-verifiable paper records in an audited contest if a full manual count of the voter-verifiable paper records would find a different outcome than the outcome determined by the electronic count.
- (5) “Risk-limiting audit” means a postelection audit procedure that employs statistical methods to ensure a large, predetermined minimum chance of requiring a full manual count of voter-verifiable paper records in an audited contest if a full manual count of the voter-verifiable paper records would find a different outcome than the outcome determined by the electronic count.
- (6) “State Administrator” means the State Administrator of Elections.
- (7) “State Board” means the State Board of Elections.
- (8) “Voter-verifiable paper record” has the meaning stated in § 9-102 of the Election Law Article.
- (b) (1) The State Administrator shall convene a Risk-Limiting Audits Workgroup.

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(2) The Workgroup shall consist of the following persons selected by the State Administrator:

- (i) experts in the theory and practice of risk-limiting audits;
- (ii) at least one representative of the voting system vendor; and
- (iii) local election officials.

(3) The State Administrator, or the State Administrator's designee, shall serve as chair of the Workgroup.

(4) The first meeting of the Workgroup shall be held on or before June 10, 2021.

(5) The Workgroup shall:

(i) draft a plan to conduct a risk-limiting audit of at least one statewide contest and at least one countywide or other local contest in each county after each statewide election;

(ii) draft proposed legislation for consideration by the General Assembly during the 2022 regular session that would enact the plan for conducting risk-limiting audits after each statewide election; and

(iii) meet periodically thereafter to make recommendations to the State Board to revise and improve the risk-limiting audit process as appropriate.

(c) The plan for conducting risk-limiting audits drafted by the Workgroup shall:

- (1) require manual examination of randomly chosen individual

(Over)

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voter-verifiable paper records or batches of voter-verifiable paper records until the maximum chance of a full manual count finding a different outcome than the outcome determined by the electronic count is no larger than the risk limit, or until there has been a full manual count;

(2) require a risk-limiting audit to:

(i) be completed before certification of the election results; and

(ii) be observable by the public to the maximum extent practicable;

(3) require that, if a risk-limiting audit finds that the election outcome determined by the electronic count is incorrect, the official result of the election be altered to match the outcome determined by the risk-limiting audit;

(4) require that a public report concerning the risk-limiting audit process and the results of the risk-limiting audit be released after each statewide election; and

(5) include:

(i) criteria for determining the contests to be audited;

(ii) the risk limit; and

(iii) the audit method.

(d) On or before December 17, 2021, the Risk-Limiting Audits Workgroup shall submit its plan for conducting risk-limiting audits and its proposed legislation that would enact the plan to the Senate Education, Health, and Environmental Affairs

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Committee and the Committee on Ways and Means in accordance with § 2-1257 of the State Government Article.”;

in line 25, strike “2.” and substitute “3.”; and in line 26, strike “October” and substitute “June”.