

HB0759/575563/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 759
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Postelection Tabulation Audits – Risk-Limiting Audits**” and substitute “**Risk-Limiting Audits Workgroup**”; and strike beginning with “requiring” in line 3 down through “method;” in line 24.

On pages 1 and 2, strike beginning with “proposed” in line 29 on page 1 through “audits” in line 2 on page 2 and substitute “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; defining certain terms; and generally relating to a Risk-Limiting Audits Workgroup”.

On page 2, strike in their entirety lines 3 through 7, inclusive.

AMENDMENT NO. 2

On page 2, in line 9, strike “the Laws of Maryland read as follows”.

On pages 2 through 5, strike in their entirety the lines beginning with line 10 on page 2 through line 15 on page 5, inclusive.

On page 5, after line 16, insert:

“(2) “Electronic count” means the vote totals produced by the voting system.

(Over)

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(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.”;

in lines 17, 19, and 20, strike “(2)”, “(3)” and “(4)”, respectively, and substitute “(5)”, “(6)”, and “(7)”, respectively; strike beginning with “has” in line 17 down through “Act” in line 18 and substitute “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”; and after line 20 insert:

“(8) “Voter-verifiable paper record” has the meaning stated in § 9-102 of the Election Law Article.”.

On page 6, strike beginning with “proposed” in line 5 down through “(ii)” in line 8 and substitute “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)”;

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strike beginning with “The” in line 10 down through “2022” in line 12 and substitute “The plan for conducting risk–limiting audits drafted by the Workgroup shall:

(1) require manual examination of randomly chosen individual 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.

(Over)

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

and in line 13 strike “3.” and substitute “2.”.