

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-671.1 of the Code of Virginia, relating to annual audit of ballot*
3 *scanner machines.*

4 [S 1254]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-671.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 24.2-671.1. Audits of ballot scanner machines.**

9 A. The ~~State Board~~ *Department of Elections* shall be ~~authorized to conduct~~ *coordinate* a post-election
10 *risk-limiting* audit annually of ~~one or more~~ ballot scanner machines in ~~one or more~~ precincts in ~~one or~~
11 ~~more~~ localities with respect to an election in which the margin between the top two candidates for each
12 office on the ballot exceeds 10 percent, with the consent of the electoral board of the locality,
13 notwithstanding any other provision of law to the contrary in use in the Commonwealth. The localities
14 selected for the audit shall be chosen at random with every locality participating in the Department's
15 annual audit at least once during a five-year period. The ~~purposes~~ *purpose* of the audits shall be to
16 study the accuracy of ballot scanner machines.

17 B. No audit ~~conducted pursuant to this section~~ shall commence until after the election has been
18 certified and the period to initiate a recount has expired without the initiation of a recount, ~~unless such~~
19 ~~audit is being conducted as part of a voting system certification~~. An audit shall have no effect on the
20 election results.

21 C. All audits ~~conducted pursuant to this section~~ shall be performed by the local electoral boards and
22 general registrars in accordance with the procedures prescribed by the ~~State Board~~ *Department* ~~under~~
23 ~~the supervision of the local electoral board~~. The procedures established by the ~~State Board~~ *Department*
24 shall include its procedures for conducting hand counts of ballots. Candidates and political parties may
25 have representatives observe the audits.

26 D. ~~The local electoral boards shall report the results of the audit of the ballot scanner machines in~~
27 ~~their jurisdiction to the Department~~. At the conclusion of each audit, the local electoral board
28 ~~Department shall announce publicly the results of the audit of the machines in its jurisdiction submit a~~
29 ~~report to the State Board~~. The ~~announcement report~~ shall include a comparison of the audited election
30 results and the initial tally for each machine audited; and an analysis of any detected discrepancies.

31 **2. That the provisions of this act shall become effective on July 1, 2018.**

ENROLLED

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