

## **Proposed Amendments to House Bill 3270**

Delete Section (2)(a), Section (2)(b), Section (2)(c) and Section (3) and replace with the following:

(2)(a) For every general election, all county clerks shall conduct a hand count of a random sampling of ballots pulled by the procedure in Section (2)(b).

(2)(b) In order to validate elections at the state level, every 42nd ballot must be pulled after it has passed through the vote tally system and sent to a secure station for hand counting.

(3) The county clerk shall oversee the hand counting of at least three races to include the election contest between the two candidates receiving the largest number of votes in the state, an election contest for a state office, and if possible, an election contest for a state measure. The Secretary of State shall select the statewide race and ballot measure for sample hand counting by random drawing on the day of the general election. The Secretary of State shall issue advance public notice of the time on election day of such random drawings and the event shall be open to the public.

Delete Section (4)(b).

Delete Section (7) and replace with the following:

(7)(a) Immediately after all counties have provided the results of the hand counts and machine counts to the Secretary of State, the vote count verification committee will determine whether the proportional tally of votes for each candidate or measure is less than, equal to, or greater than the designated margin.

(7)(b) If a hand count results in a proportional tally of votes for a candidate or measure that is different from the proportional tally of votes produced by the machine count for that candidate or measure, and the difference in any race is less than the designated margin specified by the vote count verification committee, the tally of votes produced by the machine count is the official tally of votes for that candidate or measure.

(7)(c) If the hand count results in a proportional tally of votes for a candidate or measure that is different from the proportional tally of votes produced by the machine count for that candidate or measure, and the difference in any race is equal to or greater than the designated margin specified by the vote count verification committee, then the discrepancies shall immediately be disclosed to the public and the county clerks shall conduct a full statewide hand count of all

ballots counted for that candidate or measure. The hand count is the official tally of votes for that candidate or measure.

(7)(d) Before any contested race selected for sample hand counting may be certified, the verification required by this section must be completed and made available to the public.

Delete Section (8) and replace with the following:

(8)(a) The vote count verification committee is established in the office of the Secretary of State. The secretary shall appoint three members to the committee. Members of the committee must have substantial expertise in statistics. No member shall have been affiliated with or received any income in the preceding five years from any person or entity that provides election equipment or election services.

(8)(b) Members of the committee serve at the pleasure of the Secretary of State. The secretary shall appoint an individual to fill a vacancy on the committee. Members of the vote count verification committee shall receive compensation and reimbursement of expenses. The committee is a public body and its meetings, reports, and records shall be subject to the Oregon Public Records Act.

Delete Section (10) and replace with the following:

(10) Subsections (1) to (9) of this section do not apply if federal law requires a post-election hand count of ballots at the general election for a race included in Section (3) to verify election results and the Secretary of State determines that the methodology required by federal law produces a higher level of statistical confidence and accuracy than the methodology in subsections (1) to (9) in this section.