

## **Recent Efforts to Improve Election Infrastructure**

### Implemented State Election Reforms

- Improving Voting Systems
  - SB 360 (Padilla) of 2013 overhauled and reorganized procedures and criteria for the certification and approval of a voting system for use in California elections. Specifically, this bill required the Secretary of State to adopt and publish voting system standards and regulations governing the use of voting systems and required those standards to meet or exceed federal voluntary voting system guidelines set forth by the United States Election Assistance Commission or its successor agency, as specified. The current California Voting System Standards to which new voting systems are tested exceed the current federal guidelines.
  - AB 2252 (Ting) of 2016 established a process for the testing and certification of systems that allow a voter with disabilities to electronically receive and mark a vote by mail ballot using a remote accessible system.
  - SB 439 (Allen) of 2015 created a new system-based testing and approval processes for ballot on demand systems and electronic polls books.
- Improving Voter Registration Systems
  - AB 1020 (Ridley-Thomas) of 2015 streamlined voter registration updates and voter file maintenance procedures to facilitate the implementation of California's new statewide voter registration database.
- Modernizing the Electoral Process
  - SB 365 (Pavley) of 2015 authorized election officials to establish vote by mail ballot drop off locations and established best practices for those locations, thereby ensuring that there are secure and convenient locations in which voters may drop off their completed vote by mail ballots.
  - SB 450 (Allen) of 2016 permits counties to conduct elections in which all voters are mailed ballots, and voters have the opportunity to vote on those ballots or vote in person at a vote center for a period of 10 days leading up to election day. Fourteen specified counties are permitted to conduct elections under this system this year (five counties are expected to do so); the remaining counties may use this system beginning in 2020.

- Increasing Voter Confidence in the Electoral Process
  - AB 44 (Mullin) of 2015 provided for state-funded manual recounts of ballots cast in close races for statewide office, and required the Secretary of State to adopt regulations governing recounts.

#### Pending State Election Reforms

- AB 668 (Gonzalez-Fletcher) of 2017 would place a \$450 million bond act on the June 5, 2018, statewide primary election ballot and authorizes the use of those bond funds for the purchase of specified voting equipment and related technology.
- AB 2352 (Low) of 2018 would require a county elections official to document reportable errors and submit specified information about these errors to the Secretary of State. Additionally, this bill would require the Secretary of State to adopt regulations establishing which errors in election administration constitute "reportable errors."

#### Governor's 2018-2019 Budget Proposal

- The Governor's 2018-2019 budget proposes \$134 million in one-time General Fund spending to purchase new equipment for county voting systems. This equipment includes hardware, software, and initial licensing to replace existing systems and technology. Under the proposal, counties would provide a dollar-for-dollar match to receive the state funding.

#### Pending Federal Election Reforms

- S. 2035 (2017), introduced by Senators Martin Heinrich (D-N.M.) and Susan Collins (R-Maine), establishes the Securing America's Voting Equipment Act which is a multifaceted election cybersecurity bill that includes codifying former Department of Homeland Security Secretary Jeh Johnson's declaration that elections are critical infrastructure, providing direct assistance to the states through a grant program to upgrade election infrastructure that has been demonstrated to be insecure, and establishing a reward program in partnership with election system vendors known as a bug bounty program, to incentivize private researchers to root out security flaws in those systems.
- S. 2261 (2017), introduced by Senators James Lankford (R-Okla.), Susan Collins (R-Maine), Lindsey Graham (R-S.C.), Amy Klobuchar (D-Minn.), Kamala Harris (D-Calif.), and Martin Heinrich (D-N.M.), establishes the Secure Elections Act which would authorize block grants for states to upgrade outdated voting technology, create a program for an independent panel of experts to develop cybersecurity guidelines for election systems that states can implement if they choose, and offer states resources to implement the recommendations.

- H.R. 5011 (2018), introduced by Representatives Bennie G. Thompson (D-MS) and Robert A. Brady (D-PA), establishes the Election Security Act which authorizes a \$1 billion grant program to replace aging voting machines, provides funds to help maintain election infrastructure, establishes a \$20 million grant program for states to use to implement risk-limiting audits, directs the Department of Homeland Security (DHS) to expand assistance to chief state election officials, requires the Director of National Intelligence to conduct regular threat assessments, and authorizes \$6.25 million annually for DHS to award grants for research and development on improving security, quality, reliability, accuracy, accessibility and affordability for election infrastructure.