

Election Audits: State Legislative Approaches

In this challenging time for our democracy, many Americans are eager to know if policymakers are doing enough to ensure secure elections. Unfortunately, many officials have used these valid questions as a way to sow doubt and uncertainty on the integrity of America's election administrators. Fortunately, there are several legislative examples, both from this year's sessions and 2019-2020 sessions, that demonstrate how legislators can put politics aside and enact meaningful election security measures.

The below list legislation is reflective of exemplary and bipartisan work on "results-blind" risk limiting audits (RLAs) either under consideration or already passed in various legislatures. In contrast with the procedures set out in these bills, bad-faith audits are typically mandated post-election and have the effect of sowing doubt on legitimate results instead of building confidence and security for future elections.

**All bills below from 2021 session unless otherwise noted*

- [AK HB138](#): Requires a risk-limiting audit of selected election results. *(Dem)*
 - This bill, introduced by a Democratic member of the bipartisan coalition majority in the Alaska House of Representatives, works to create a process by which RLAs can be implemented in Alaska's elections. The proposal specifically requires that RLAs be undertaken using statistical methods developed with the consultation of recognized experts, equipment vendors, and municipal clerks, and should only be used to obtain a result that would not be inconsistent with a recount.
- [CT HB6325](#): Creates a working group on risk-limiting election audits. *(Bipartisan)*
 - This bill, which has bipartisan co-sponsorship, represents the first stage of a policy push for RLAs in Connecticut. It would create a working group consisting of members appointed by the Secretary of State, members of legislative leadership, and various associations relating to election policy, that would collaborate on producing an RLA policy recommendation.
- [GA SB233](#): Sets forth risk-limiting audit procedures in addition to providing for new voting systems in the state. *(Bipartisan)*
 - As a politically competitive state, Georgia's election laws have received increased scrutiny in recent months. This bipartisan bill seeks to amend existing Georgia election law on a number of fronts, including the use of audits. In this bill, RLAs would receive a full definition that involves hand-counting ballots until a level of statistical confidence is reached that affirms the reported outcome.
- [OR SB944](#): Permits county clerks to determine if they wish to conduct hand counts or risk-limiting audits after elections. *(Bipartisan, 2019, Law)*

- This bill is representative of a state legislative policy on audits that puts the concerns of election workers first. This bill grants Oregon’s county clerks the right to determine whether to make use of hand counts or risk-limiting audits post-election. By having the ability to make this decision, county clerks in turn will be able to determine what election clarification measures work best for them, which in turn will allow them to prioritize measures that best fit with their office’s resources.