

Voting Systems in Texas



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The background of the slide is a stylized American flag, with the stars and stripes visible. The word "Agenda" is written in a large, bold, black font in the upper right quadrant.

Agenda

- Methods of Voting
- Accessibility Requirements
- Certification Process
- Considerations When Purchasing a New Voting System
- Elections Security Assessment



Methods of Voting

- **Three methods of voting in Texas**
 - **Hand-counted** Paper Ballots
 - **Ballots Counted with a Scanner**
 - **Precinct Ballot Scanner**
 - **Central Scanner**
 - **Direct Recording Electronic (DRE)**
Voting System



Ballots Counted with a Scanner

- Ballots are designed to be used in a voting system that uses a scanner to read the marked ballots.
- Ballots are marked by using an **indelible marker**.
- **Two Variations:**
 - **Precinct Ballot Scanner**
 - **Central Scanner**

Precinct Ballot Counter

- Ballots are deposited by the voter into a scanner at the precinct or polling place.



Central Scanner

- Ballots are deposited by the voter into a **pre-locked, pre-sealed** ballot box. The ballot box is later transferred to a central counting station for counting.
- Ballots are run through a high speed scanner and results are generated from the electronic media.



Direct Record Electronic (DRE) Voting System

- A voting machine that is designed to allow a direct vote on the machine by the manual touch of a screen, monitor, wheel, or other device and that records the individual votes and vote totals electronically.





Accessibility Requirements

- A political subdivision must provide at least one accessible voting machine at each early voting and election day polling place.
- Two Separate Requirements
 - Section 301(a) of HAVA (federal elections)
 - Section 61.012 of the Texas Election Code (all elections)
 - Limited Exemptions based on county population

Accessible Voting Machines



The background of the slide features a stylized American flag with stars and stripes. The title "Voting System Certification" is prominently displayed in the upper center, overlaid on the flag's stars and stripes.

Voting System Certification

- Certification process consists of two parts
 - Federal Certification
 - Texas Certification



Federal Certification Process

- Election Assistance Commission (**EAC**) runs the federal Testing and Certification Program
 - Adopt voting system standards:
 - Voluntary Voting System Guidelines
 - Provide accreditation to Independent Testing Laboratories
 - Certify voting system equipment
- At least 35 states participate in the Testing and Certification program.



Texas Certification Process

- All Voting Systems used in Texas **must** receive certification by the Texas Secretary of State
 - Section 122.031 provides that “before a voting system or voting system equipment may be used un an election, the system and a unit of the equipment must be approved by the Secretary of State...”
 - Rule 81.60, Texas Administrative Code outlines procedures for certification
 - Section 123.035 requires SOS **approve** voting system contracts

The background of the slide is a stylized American flag, with the stars and stripes visible. The title "Aging Voting Systems" is centered at the top in a large, bold, black font.

Aging Voting Systems

- Currently certified equipment still functions well, but is showing it's age.
- Newly certified systems from Hart InterCivic and ES&S.

The background of the slide is a stylized American flag, featuring the stars and stripes in a slightly faded, artistic manner.

Considerations When Purchasing a New Voting System

- Practical Considerations
- The Contract Process
- Approval of Voting System Contract
- Adoption of a New System
- Acceptance Testing



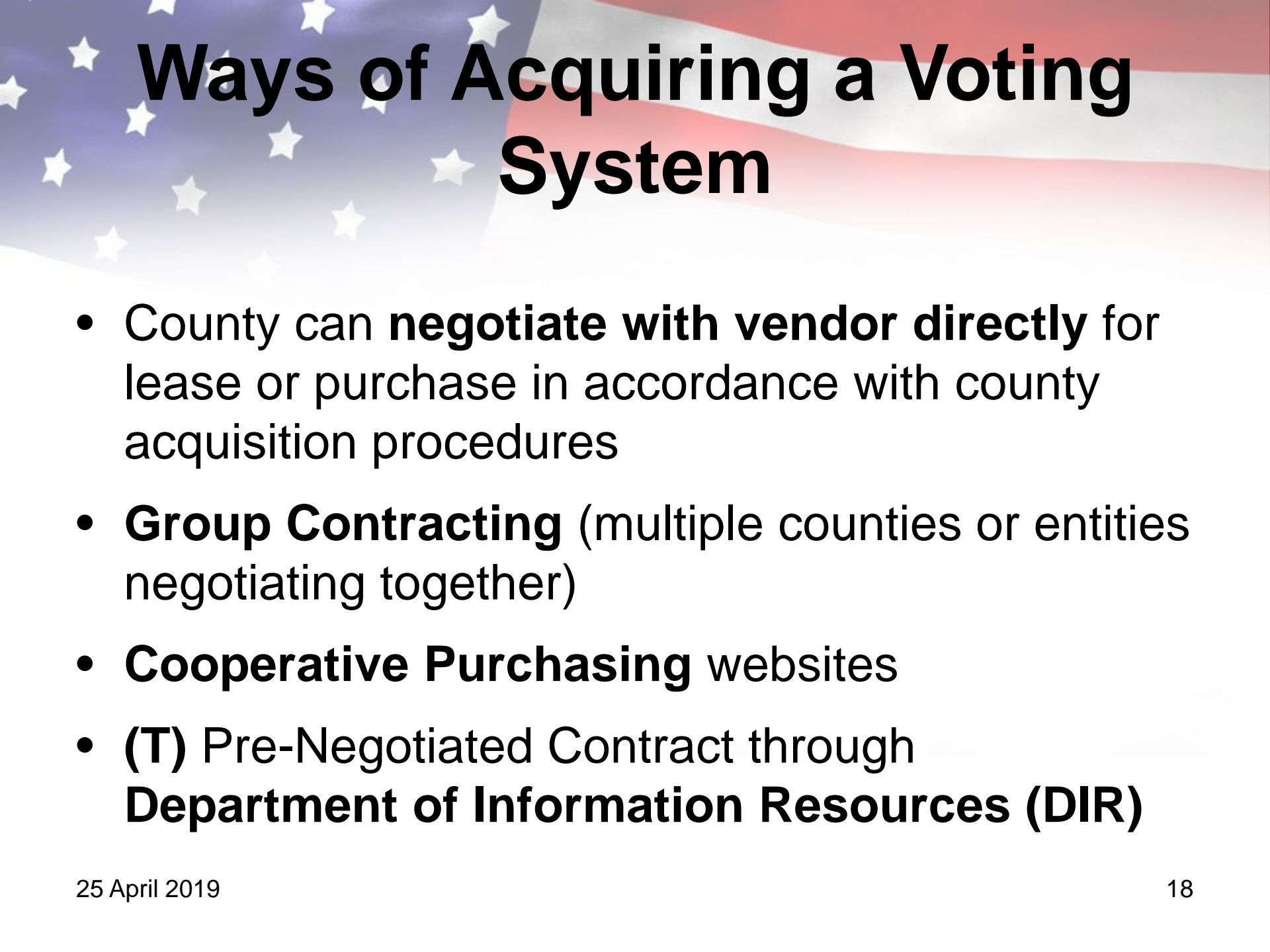
Practical Considerations

- All systems in Texas must have completed Federal Certification (EAC) and Texas Certification.
 - EAC Certification for a new system can take 1-2 years.
 - Certification in Texas takes a minimum of 2-3 months from the date of the exam.
- All Voting System contracts **MUST** be approved by the SOS.



Contract Considerations

- On-going costs of a voting system
 - EX: Maintenance, Service, Licensing Fees, Upgrades, etc.
- Can you maintain all required services under the contract?
 - EX: Reprint ballot images for recounts
- Training Costs
- Transition Plan



Ways of Acquiring a Voting System

- County can **negotiate with vendor directly** for lease or purchase in accordance with county acquisition procedures
- **Group Contracting** (multiple counties or entities negotiating together)
- **Cooperative Purchasing** websites
- **(T) Pre-Negotiated Contract through Department of Information Resources (DIR)**



Requirements under Texas Law

1. Approval of Voting System Contract by **SOS**
2. Adoption of Voting System by **Commissioners Court**
3. Acceptance Testing

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What kind of contracts need to be approved?

- Contracts for different equipment with your current vendor.
 - EX: Going from PBCs to DREs
- Contracts for a new voting system with your current vendor.
- Contracts with new vendors.



Obtaining Approval of Contract

- To obtain SOS approval, you must submit to the SOS
 - A letter requesting approval, AND
 - A copy of the relevant portions of the acquisition contract ([version numbers](#)).
- If a contract is approved, the SOS will provide you:
 - A letter granting approval, AND
 - A copy of the voting system certification order.
- Send letter to: elections@sos.texas.gov



Adoption of a Voting System

- A voting system must be adopted for use in any one or more elections by **resolution, order or other official action**.
- The adoption of a voting system may be modified or rescinded at any time.
- The general custodian of election records is required to make any user or operator manuals or instructions relating to the system available for public inspection.
- Who orders the Adoption?
 - For Counties, **Commissioners Court**



Adoption of a Voting System

- Adoption action should indicate:
 - whether they are adopting the system for use in early voting only, regular voting on election day or both.
- VS can only be used in accordance with the **“terms and conditions”** stated in official action.
- Identifying the vendor is not enough!!
- Adoption action must identify the actual system being used.

The background of the slide is a stylized American flag, with the stars and stripes visible. The stars are white on a blue field, and the stripes are red and white.

What should I put in my adoption action?

- Name of Vendor
- Name of Equipment or System
- Is it going to be used for...
 - Election day? At all polling places?
 - Early Voting in Person?
 - Early Voting by Mail?
 - Provisional Voting?
- What elections will it be used for?
 - Just current elections or all elections?

Texas Election Security Assessments (ESA)

- Free evaluation for all 254 Texas Counties
 - Funds provided by 2018 Help America Vote Act (HAVA) Grants
 - Paid Directly to DIR. Counties will not be invoiced
- Partnership with
 - Texas Secretary of State's Office (SOS)
 - Department of Information Resources (DIR)
 - AT&T
- ESAs provide recommendations to improve security after a review of procedures, technology, and affected staff.



How to Participate with ESA

- Seek County Approval for participation
 - *viz.* Commissioner's Court
- Initiate process first email:
 - ElecAssessment@sos.texas.gov
- Designate an official as liaison for a single point of contact on all matters



Areas Reviewed by ESA

- **Staff Security Knowledge**

- Phishing
- Email Practices
- Social Engineering

- **Elections**

- Ballot Creation
- Election Results Publication
- Voting Devices, etc.
- Security Devices

- **Network Analysis**

- Internet Connections
- Webpage Vulnerability Detection

- **Voter Registration**

- Registration Software
- Application Storage



ESA Deliverables

- Election Security Assessment Scorecard
- Election Security Assessment Report
- Questions Contact:
 - Elections@cyberdefenses.com.
 - Keith Ingram – kingram@sos.texas.gov
 - Dan Glotzer – dglotzer@sos.texas.gov
 - Gene Moore (AT&T) - gm4738@att.com

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Questions?

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