

# SB3067



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB3067

Introduced 2/15/2018, by Sen. Don Harmon

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/22-19 new

Amends the Election Code. Authorizes election authorities to conduct risk-limiting audits before and after the certification of election results. Provides that the determination to conduct a risk-limiting audit, the scope of an audit, and the uses of the results of an audit are entirely within the discretion of the election authority. Requires the State Board of Elections to adopt rules for the creation of a certification process for certifying that the procedure to be used by an election authority comports with the specified requirements. Provides for waiver of the certification process. Defines "risk-limiting audit". Effective immediately.

LRB100 20423 MJP 35754 b

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by adding Section  
5 22-19 as follows:

6 (10 ILCS 5/22-19 new)

7 Sec. 22-19. Risk-limiting election audits.

8 (a) Notwithstanding any other provision of law, an election  
9 authority is authorized to conduct a risk-limiting audit before  
10 the certification of the results of an election as provided  
11 under Section 22-18. The determination to conduct a  
12 risk-limiting audit, the scope of an audit, and the uses of the  
13 results of an audit are entirely within the discretion of the  
14 election authority. The provisions of the law regarding the  
15 anonymity of the ballot and chain of custody shall be observed  
16 in any process conducted under this subsection (a).

17 (b) Notwithstanding any other provision of law, an election  
18 authority is authorized to conduct a risk-limiting audit after  
19 the results of an election have been certified and the period  
20 for filing an election contest has expired. The determination  
21 to conduct a risk-limiting audit, the scope of an audit, and  
22 the uses of the results of an audit are entirely within the  
23 discretion of the election authority.

1       (c) The State Board of Elections shall adopt rules to  
2 create a certification process for certifying that the  
3 procedure to be used by an election authority comports with the  
4 requirements of this Section, uses generally-accepted  
5 statistical methods, and meets the standards for best practices  
6 to insure statistically sound results. Upon application by an  
7 election authority, accompanied by a sufficient showing of the  
8 statistical soundness of an election authority's risk-limiting  
9 audit methods, the State Board of Elections may waive the  
10 certification process requirement for that election authority,  
11 notwithstanding the rules adopted under this subsection (c).

12       (d) For the purposes of this Section, "risk-limiting audit"  
13 means a process of examining election materials, including  
14 ballots, under an audit protocol that makes use of statistical  
15 methods and is designed to limit the risk of the certification  
16 of an incorrect election outcome. The method used in a  
17 risk-limiting audit shall be capable of producing an outcome  
18 that demonstrates a strong statistical likelihood that the  
19 outcome of an election is correct.

20       Section 99. Effective date. This Act takes effect upon  
21 becoming law.