

Post-Election Manual Audit of Ballots Regulations

State	Summary
Alaska	<p>The review of ballot counting by the director shall include only: a review of the precinct registers, tallies, and ballots cast; a review of absentee and questioned ballots as prescribed by law; and unless the ballot for the election district contains nothing but uncontested offices, a hand count of ballots from one randomly selected precinct in each election district that accounts for at least five percent of the ballots cast in that district.</p> <p>Source and more details: Alaska Statutes § 15.15.420 - 440</p>
Arizona	<p>For each countywide primary, general and presidential preference election, the county officer in charge of the election shall conduct a hand count at the central counting center in the following order: At least two per cent of the precincts in that county, or two precincts, whichever is greater, shall be selected at random from a pool consisting of every precinct in that county.</p> <p>Source and more details: Arizona Revised Statutes § 16-602</p>
California	<p>During the official canvass of every election in which a voting system is used, the official conducting the election shall conduct a public manual tally of the ballots tabulated by those devices, including absent voters' ballots, cast in 1 percent of the precincts chosen at random by the elections official. If 1 percent of the precincts is less than one whole precinct, the tally shall be conducted in one precinct chosen at random by the elections official.</p> <p>Source and more details: California Elections Code § 15360</p>
Colorado	<p>Following each primary, general, coordinated, or congressional district vacancy election, the secretary of state shall publicly initiate a manual random audit to be conducted by each county. Unless the secretary approves an alternative method for a particular county that is based on a proven statistical sampling plan and will achieve a higher level of statistical confidence, the secretary shall randomly select not less than five percent of the voting devices used in each county to be audited; except that, where a central count voting device is in use in the county, the rules promulgated by the secretary pursuant to subsection 5 of this section shall require an audit of a specified percentage of ballots counted within the county.</p> <p>The selection of equipment will be based on a random selection of 5 percent of precinct scanner based voting equipment, at least one central count scanner/vote center, and five percent of direct record electronic (DRE) voting devices.</p> <p>Source and more details: Colorado Revised Statutes § 1-7-514 and Code of Colorado Regulations 11.5.4</p>
Connecticut	<p>Not earlier than the fifteenth day after any election or primary and not later than two business days before the canvass of votes by the Secretary of the State, Treasurer and Comptroller, for any federal or state election or primary, or by the town clerk for any municipal election or primary, the registrars of voters shall conduct a manual audit of the votes recorded in not less than ten percent of the voting districts in the state, district or municipality, whichever is applicable. Such manual audit shall be noticed in advance and be open to public observation.</p> <p>Source and more details: Public Act No. 07-194</p>

Florida	<p>Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit of the voting systems used in randomly selected precincts.</p> <p>The audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, absentee, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting. Effective July 1, 2008.</p> <p>Source and more details: Florida Statutes § 101.591</p>
Hawaii	<p>The chief election officer conducts a post-election, pre-certification audit of a random sample of not less than ten per cent of the precincts employing the electronic voting system, to verify that the electronic tallies generated by the system in those precincts equal hand tallies of the paper ballots generated by the system in those precincts.</p> <p>Source and more details: Hawaii Statutes § 16-42</p>
Illinois	<p>Prior to the proclamation, the election authority shall test the voting devices and equipment in 5% of the precincts within the election jurisdiction.</p> <p>Source and more details: Illinois Statutes Art. § 5/24C-15</p>
Kentucky	<p>The State Board of Elections shall prescribe rules and regulations which shall include but not be limited to the following: As part of the official canvass, provide for a manual recount of randomly selected precincts representing three percent (3%) to five percent (5%) of the total ballots cast in each election.</p> <p>Source and more details: Kentucky Statutes § 117.383(8)</p>
Minnesota	<p>At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section. At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed. The county canvassing board of a county with fewer than 50,000 registered voters must select at least two precincts for postelection review. The county canvassing board of a county with between 50,000 and 100,000 registered voters must select at least three precincts for review. The county canvassing board of a county with over 100,000 registered voters must select at least four precincts.</p> <p>Source and more details: Minnesota Statutes § 206.89</p>
Missouri	<p>After the electronic recount provided for in 15 CSR 30-10.060(2)(G) and prior to the certification of the election results, the accuracy certification team shall randomly select not less than one (1) precinct for every one hundred (100) election precincts or fraction thereof, but not less than one (1) precinct, in order to conduct a manual recount of selected contested races and ballot issues in the selected precinct(s).</p> <p>Source and more details: Missouri Code of State Regulations 30-10.110</p>
Nevada	<p>A county clerk must conduct a postelection certification audit of a VVPAT by comparing each vote cast for each candidate and on each measure which was electronically recorded on the mechanical recording device to each vote cast for each candidate and on each measure which was recorded on the attached VVPAT. Such comparison may be conducted manually or by a mechanical device determined by the Secretary of State to be capable of accurately reading the votes cast and printed and otherwise qualified for use in the State pursuant to applicable state and federal law.</p> <p>The county clerk of a county whose population is 100,000 or more must randomly select a number of mechanical recording devices equal to 2 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than 20 mechanical recording devices, whichever is greater, for the postelection certification audit.</p>

The county clerk of a county whose population is less than 100,000 must randomly select a number of mechanical recording devices equal to 3 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than four mechanical recording devices, whichever is greater, for the postelection certification audit.

Source and more details: [Nevada Administrative Code 293.255](#)

New Mexico

The secretary of state shall direct the county clerks to compare the total votes tallied in the general election for the office of president or governor from two percent of the voting systems in the state with total votes tallied by hand from the voter verifiable and auditable paper trail from those voting systems.

Source and more details: [New Mexico Statutes § 1-14-13.1](#)

New York

Within fifteen days after each general or special election, and within seven days after every primary or village election conducted by the board of elections, the board of elections or a bipartisan committee appointed by such board shall manually audit the voter verifiable audit records from three percent of voting machines or systems within the jurisdiction of such board.

Source and more details: [New York State Consolidated Laws § 9-211](#)

North Carolina

Provide for a sample hand-to-eye count of the paper ballots or paper records of a statewide ballot item in every county. The presidential ballot item shall be the subject of the sampling in a presidential election. If there is no statewide ballot item, the State Board shall provide a process for selecting district or local ballot items to adequately sample the electorate.

The sample chosen by the State Board shall be of one or more full precincts, full counts of mailed absentee ballots, full counts of one or more one-stop early voting sites, or a combination. The size of the sample of each category shall be chosen to produce a statistically significant result and shall be chosen after consultation with a statistician. The actual units shall be chosen at random.

Source and more details: [North Carolina General Statutes § 163-182.1](#)

Oregon

At each general election, the county clerk shall conduct a hand count of ballots as described in this section and compare the tally of votes for those ballots produced by a vote tally system with the tally of votes for those ballots produced by the hand count. In the event that the unofficial tally of ballots produced by a vote tally system reveals that the margin of victory between the two candidates receiving the largest number of votes in the county is less than one percent of the total votes cast in that election in the county, the county clerk shall conduct a hand count of ballots in at least 10 percent of all precincts or of ballots in at least 10 percent of all batches of ballots collected by the county clerk. In the event that the unofficial tally of ballots reveals that the margin of victory between the two candidates receiving the largest number of votes in the county is greater than or equal to one percent but less than two percent of the total votes cast in the county, the county clerk shall conduct a hand count of ballots in at least five percent of all precincts or of ballots in at least five percent of all batches of ballots collected by the county clerk. In the event that the unofficial tally of ballots reveals that the margin of victory between the two candidates receiving the largest number of votes in the county is greater than or equal to two percent of the total votes cast in the county, the county clerk shall conduct a hand count of ballots in at least three percent of all precincts or of ballots in at least three percent of all batches of ballots collected by the county clerk.

Source and more details: [Enrolled House bill 3270, signed into law August 3, 2007](#)

Pennsylvania

The county board of elections, as part of the computation and canvass of returns, shall conduct a statistical recount of a random sample of ballots after each election using manual, mechanical or electronic devices of a type different than those used for the specific election. The sample shall include at least two (2) per centum of the votes cast or two thousand (2,000) votes whichever is the lesser.

Source and more details: [Pennsylvania Statutes § 3031.17](#)

Texas	<p>To ensure the accuracy of the tabulation of electronic voting system results, the general custodian of election records shall conduct a manual count of all the races in at least one percent of the election precincts or in three precincts, whichever is greater, in which the electronic voting system was used.</p> <p>Source and more details: Texas Statutes § 127.201</p>
Utah	<p>After polls close on Election Day but no later than noon the next day, the Lieutenant Governor's office notifies the appropriate election officers which voting machines will be audited. The Lieutenant Governor shall select at least 1 percent of the total number of AccuVote TSx and precinct count AccuVote OS voting machines in use statewide.</p> <p>Source and more details: "Election Policy," State of Utah, Office of the Lieutenant Governor, Oct. 17, 2006</p>
Washington	<p>Prior to certification of the election, the county auditor shall conduct an audit of results of votes cast on the direct recording electronic voting devices used in the county. This audit must be conducted by randomly selecting by lot up to 4 percent of the direct recording electronic voting devices or one direct recording electronic voting device, whichever is greater, and, for each device, comparing the results recorded electronically with the results recorded on paper. For purposes of this audit, the results recorded on paper must be tabulated as follows: On one-fourth of the devices selected for audit, the paper records must be tabulated manually; on the remaining devices, the paper records may be tabulated by a mechanical device determined by the secretary of state to be capable of accurately reading the votes cast and printed thereon and qualified for use in the state under applicable state and federal laws.</p> <p>Source and more details: Washington Code § 29A.60.185</p>
West Virginia	<p>In canvassing the returns of the election, the board of canvassers shall examine all of the vote recording devices, the ballot labels, ballot cards, the automatic tabulating equipment used in the election and those voter verified paper ballots generated by direct recording electronic vote machines as required by subsection (d) of this section.</p> <p>(d) During the canvass and any requested recount, at least five percent of the precincts are to be chosen at random and the voter verified paper ballots are to be counted manually.</p> <p>Source and more details: West Virginia Code § 3-4-A-28</p>
Wisconsin	<p>After each November general election, The State Elections Board will randomly select fifty (50) reporting units across Wisconsin which will be subject to municipal audit, including a minimum of five (5) reporting units for each voting system used in Wisconsin.</p> <p>Source and more details: "Voting System Audit Requirements," Wisconsin State Elections Board, November, 2006</p>

