

The State of Texas



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Carlos H. Cascos
Secretary of State

January 29, 2016

Mr. Michael Winn
Director of Elections
Travis County
P.O. Box 149325
Austin, Texas 78714-9325

Dear Mr. Winn,

Your office submitted a request for approval to use modified voting system procedures for all elections in which the county will utilize countywide election precincts under Section 43.007 of the Texas Election Code. The Secretary of State approves the procedures outlined below as long as Travis County is using the Hart Voting System 6.2.1 ("HVS") that is currently certified for use in Texas elections.

The Secretary of State has approved a modified procedure for counties participating in the Countywide Polling Place Program since November 2011. The modified procedures were approved due to the challenges of using voting systems generally designed for use at traditional polling places. Specifically, the challenges included the length of time required to print a zero tape before opening the polls and the printing of a results tape after the polls close. In a countywide election, each zero tape and each results tapes will consist of all the candidates and measures for each election day precinct within the county, and each tape can take several hours to print.

Therefore, the Secretary of State approves the following procedures:

1. A complete zero tape for all judges booth controller (JBCs) may be printed at the county warehouse prior to election day.
2. Alternatively, for elections in which the printing of zero tapes takes more than three hours, one complete zero tape from one of the judges booth controllers (JBC) that is to be deployed in the election must be printed at the county warehouse prior to election day. This completed zero tape must be maintained with the county's election records.
3. An abbreviated zero should be left on each machine to show there are no votes on the machine.
4. The election judges at each countywide polling place shall retain the JBC Network Configuration Report to verify that zero votes have been cast on any of the machines.
5. The election judges should confirm the public count on each e-Slate is zero before opening the polling location.

*Allows countywide polling places
(which we have)
chat 43
(10 pages)*

6. The election judges at each countywide precinct location will print an access code report, instead of a complete results tape, which provides information on how many votes have been cast, to compare to the number of signatures on the combination form.
7. Once the equipment has been returned to the General Custodian of Election Records, the county may print results tapes from each machine.

It is the recommendation of the Secretary of State that counties in the Countywide Polling Place Program print a full set of results tapes to maintain with their election records, in keeping with the Secretary of State's requirement that counties not participating in the Program print results tapes at the polling place. However, as Travis County has demonstrated a need for this amended procedure, the county may opt to not print results tapes.

Under the modified procedure, elections will remain be completely auditable. Through the printing of one zero tape, the JBC Network Configuration Report, and the review of the public counter before voting begins, a county will be able determine that zero votes have been cast in an election prior to the opening of the polls. Post-election, the zero tape will be available for review and cast vote records (ballot images), will remain on the MBBs the voting machines themselves, and once backed up on SERVO for recounts, contests, and other post-election reviews until they are archived by the county following the election. While the results tapes generated at a polling place can provide an additional means of reviewing the activity at a polling place, the actual precinct returns are generated at the central counting/accumulation station in accordance with Section 127.131 of the Texas Election Code.

Again, thank you ^{chat 127 (19.07.23 pm)} very much for your participation, and we look forward to working with you to make this program a success.

Sincerely,



Keith Ingram
Director of Elections

KI:AM:CA

Chapter 127 is "Processing Electronic Voting System Results"
 Subchapter A is "Establishing + organization of Central Counting Station"
 127.131 details "Preparing Returns" (we have this)

Ashley Fisher: Legal Director of Elections Division of State.