

By: Patrick

S.B. No. 1398

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to verification of precinct and ballot styles during the  
3 public testing of direct recording electronic voting machine  
4 systems.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 129.023(c), Election Code, is amended to  
7 read as follows:

8 (c) The general custodian of election records shall adopt  
9 procedures for testing that:

10 (1) direct the testing board to cast votes;

11 (2) verify that each contest position, as well as each  
12 precinct and ballot style, on the ballot can be voted and is  
13 accurately counted [~~for each precinct and ballot style~~];

14 (3) include overvotes and undervotes for each race, if  
15 applicable to the system being tested;

16 (4) include straight-party votes and crossover votes;

17 (5) include write-in votes, when applicable to the  
18 election;

19 (6) include provisional votes, if applicable to the  
20 system being tested;

21 (7) calculate the expected results from the test  
22 ballots;

23 (8) ensure that each voting machine has any public  
24 counter reset to zero and presented to the testing board for

1 verification before testing;

2           (9) require that, for each feature of the system that  
3 allows disabled voters to cast a ballot, at least one vote be cast  
4 and verified by a two-person testing board team using that feature;  
5 and

6           (10) require that, when all votes are cast, the  
7 general custodian of election records and the testing board observe  
8 the tabulation of all ballots and compare the actual results to the  
9 expected results.

10           SECTION 2. This Act takes effect September 1, 2011.