



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4862

by Rep. Jaime M. Andrade, Jr.

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 20421 MJP 35752 b

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.