



THE PATH FORWARD TO A UNIFORM VOTING SYSTEM

During his remarks at the 2015 Winter Conference of the Colorado County Clerks Association in January, Secretary of State Wayne Williams formally announced his intent to move forward with implementing and deploying a Uniform Voting System in Colorado before the 2016 Primary Election. This document provides a general overview of the multiple steps required to achieve this important objective, and the manner in which the Secretary of State's office will collaborate with its partners - county election officials and voting system providers.

Pertinent Background

On October 1, 2013, the Colorado Department of State released and posted a Request for Proposals for a Uniform Voting System (UVS). Five providers submitted responses proposing complete voting systems: Clear Ballot Group, Inc., Dominion Voting Systems, Inc., Election Systems & Software, LLC, Everyone Counts, Inc., and Hart InterCivic, Inc. The UVS Advisory Committee, the UVS Public Participation Panel, County Technical Advisors, and Department of State staff reviewed the proposed systems. In February 2014, the UVS Advisory Committee and the UVS Public Participation Panel recommended to then-Secretary of State Gessler that the competing systems be piloted in small, medium and large counties during the November 2015 Coordinated Election. Secretary Williams decided to adopt the recommendation of the Advisory Committee and Public Participation Panel with respect to the systems being piloted.

Temporary Approval of Voting Systems

Since many of the UVS pilots will occur in conjunction with actual elections conducted under Title 1 of the Colorado Revised Statutes, the proposed systems must first be temporarily approved for use by the Secretary of State. A county may use or lease a temporarily approved system, but state law prohibits counties from purchasing or acquiring title to a voting system until it is fully certified and the Secretary of State authorizes the purchase.

In order to temporarily approve a voting system under Colorado law, the system does not need to be federally certified by the Election Assistance Commission, but it must comply with the 2002 Voting System Standards promulgated by the Federal Election Commission, and Colorado's specific requirements as specified by state statute and Election Rules promulgated by the Secretary of State. In determining whether to temporarily authorize use of a system, the Secretary of State may rely on testing performed for or by other jurisdictions, and will use system documentation supplied by the provider and the testing reports from other jurisdictions to craft a test plan to establish that all applicable federal and state requirements are satisfied. Any additional testing must be performed by a federally accredited voting system test laboratory at the system provider's expense.

The 2015 UVS Pilots

In addition to the pilot presently underway for the Denver municipal election, the Secretary expects to temporarily authorize compliant systems for pilots with interested counties later in 2015. The Secretary recommends that each provider of temporarily authorized systems arrange to pilot its system with one large county and one medium or small county. The state’s role in the pilot elections will be to facilitate temporary use approval and observe and collect data concerning system performance. In order to assure the state Elections Division has sufficient resources, it is anticipated that no more than 10 pilot elections will be authorized for the November 2015 Coordinated Election. If all five providers participate in the pilot elections, each provider’s system likely will be eligible to be temporarily authorized to pilot with two counties. The details concerning financial arrangements, system training and vendor support for piloting the competing systems will be left to the interested counties and the system providers.

Pilot Election Review Committee and Final Selection of a Uniform Voting System

A Pilot Election Review Committee (PERC) will be formed to solicit, obtain and evaluate feedback concerning the functionalities, performance, strengths and weaknesses of the piloted systems from all interested stakeholders in a standardized and objective manner. The various stakeholders include county users and election officials, voters, election judges, watchers, and persons with disabilities. PERC’s exact composition is still being determined, but it likely will include a) one representative from a pilot county for each piloted system; b) experienced voting system users or election officials from counties that did not participate in the pilots; c) Department of State staff members; d) a representative from the disability community; and e) representative(s) from the voting public. PERC will review and evaluate feedback on each of the piloted systems and recommend to the Secretary which of the competing system(s) should become Colorado’s new voting system. The Secretary will carefully review and consider PERC’s recommendations in selecting Colorado’s Uniform Voting System before the 2016 Primary Election.

The provider(s) of the selected system(s) will then undergo formal certification, so that counties desiring to purchase the new system(s) can acquire and deploy them sufficiently in advance of the 2016 Primary Election.

To permit deployment by the 2016 Primary Election, a number of steps must occur. Systems that are unable to meet the required deadlines may be excluded from consideration. If temporary certification is not received as set forth below, a county may not be authorized to pilot the system.

The following table illustrates the milestones and deadlines by which various tasks must be completed in order to successfully conduct the 2015 Pilot Elections and deploy UVS in advance of the 2016 Primary Election:

EVENT	RESPONSIBLE PARTY/PARTIES	DATE
Deadline to file Applications for Temporary Approval/Use with State Elections Division Voting Systems Team, together with Technical Data Package (TDP) consisting of all system documentation, and certifications and test reports from other jurisdictions (if any)	Voting System Providers	4/6/2015

EVENT	RESPONSIBLE PARTY/PARTIES	DATE
Completion of documentation review	Voting Systems Team	4/13/2015
Create test plan for previously untested 2002 VSS and Colorado specific requirements	Voting Systems Team Voting System Providers Voting System Testing Labs (VSTLs)	4/20/2015
Finalize Test Plan Agreement	Voting Systems Team Voting System Providers	4/23/2015
Complete testing per Test Plan Agreement	VSTL	6/19/2015
Review test results and conduct additional testing, if necessary	Voting Systems Team	7/14/2015
Issue Temporary Use Approvals for compliant systems	Secretary of State	7/31/2015
Deploy pilot system components to counties; install trusted build	Voting System Providers Voting Systems Team	8/14/2015
Ballot certification deadline for Coordinated Election	Pilot counties	9/04/2015
UOCAVA ballot deadline	Pilot counties	9/19/2015
Deadline to send mail ballots to domestic voters	Pilot counties	10/16/2015
2015 Coordinated Election	Pilot counties	11/3/2015
Deadline to complete canvass and report post-election audit	Pilot counties	11/20/2015
Feedback and data from stakeholders submitted for evaluation and ranking by PERC	Pilot counties Secretary of State observers	12/1/2015
Recommendation of UVS finalist(s) to Secretary	PERC	12/15/2015
Selection of UVS finalist(s)	Secretary of State	12/31/2015
Deadline for finalist(s) to file Applications for Certification with State Elections Division Voting Systems Team, together with Technical Data Package (TDP) consisting of all system documentation, prior certifications and test reports	Voting System Provider finalist(s)	1/19/2016

EVENT	RESPONSIBLE PARTY/PARTIES	DATE
Completion of documentation review	Voting Systems Team	1/26/2016
Prepare and finalize Test Plan Agreement, if final system differs from system temporarily authorized	Voting Systems Team Voting System Provider finalist(s) VSTL	1/29/2016
Complete supplemental testing, if necessary	VSTL	2/15/2016
Certification of system, issuance of conditions of use (if any), and county authorization to purchase	Secretary of State Voting Systems Team	3/1/2016
Finalist(s) deploy system components to acquiring counties	Voting System Provider finalist(s)	3/15/2016
Install trusted build at acquiring counties	Voting Systems Team	4/4/2016
Ballot certification deadline for Primary Election	Counties	5/2/2016
UOCAVA ballot deadline	Counties	5/14/2016
Deadline to send mail ballots to domestic voters	Counties	6/10/2016
Primary Election	Counties	6/28/2016

The Uniform Voting System initiative is an ambitious undertaking that must be completed quickly. Additional details in this process must be worked through and the Secretary reserves the right to alter the foregoing procedures and timeline to accomplish its important objective: a new voting system(s) that best meet the needs of all county election officials and Colorado's voters.

Prospective pilot counties and voting system providers should direct any questions or inquiries to Voting Systems Manager Jessi Romero at jessi.romero@sos.state.co.us.