**Requesting Administrative Approval of a Proposed
Change or Modification to an Approved Voting Technology**
Effective May 1, 2009 [revised January 31, 2017]

Background

California Elections Code section 19216 precludes a voting system or part of a voting system that has been approved by the Secretary of State from being changed or modified until the Secretary of State has determined the change "does not impair its accuracy and efficiency. . ." Section 19291 extends the same authority to the Secretary of State for any modification to an approved remote accessible vote by mail system.

If the Secretary of State determines the change or modification does not impair the accuracy or efficiency of the voting system, or the remote accessible vote by mail system, the Secretary of State may administratively approve the proposed change or modification.

The Application Process

A written request for administrative approval of any proposed change or modification must be made to the Secretary of State's Office of Voting Systems Technology Assessment (OVSTA).

Pursuant to CCR section 20707(c) Any change or modification must be examined for conformance as set forth in the "California Voting System Standards (October 2014)."

Typically, a vendor requests an administrative approval. However, a county elections official may submit a request in cases where the change or modification affects only a process, procedure or some other element under the control of the county elections official.

Pursuant to CCR section 20707, the written request for administrative approval for a change or modification shall, at a minimum, include:

1. A completed Office of Voting System Technology Assessment application.
2. Documentation supporting the need for each change or modification;
3. A list of every voting system component – hardware, firmware, or software – that interacts directly or indirectly with the voting system component or components for which administrative approval of a change or modification is requested;
4. Version numbers of all affected software, hardware and firmware;
5. Classification of each modified software, hardware or firmware component as either commercial-off-the-shelf (COTS), third-party, or vendor-developed. Where

applicable, the name of any third-party company that developed the modified component shall be included.

The Testing Process

The voting system vendor must submit proposed changes or modifications in writing to The Office of Voting Systems Technology Assessment at 1500 11th street, Sacramento, CA 95814, or by email to votingsystems@sos.ca.gov.

1. **CVSS section 1.5.1 Test Categories states**: Not all systems being tested are required to complete all categories of testing. For example, if a previously certified system has had hardware modifications, the system may be subject only to non-operating environmental stress testing of the modified component and system level integration testing. If a system consisting of general purpose COTS hardware, or one that was previously certified has had modifications to its software, the system is subject only to software testing and system level integration tests, not hardware testing. However, in all cases the system documentation and configuration management records will be examined to confirm that they completely and accurately reflect the components and component versions that comprise the voting system.

2. **CVSS section 1.5.3.2 Basis for Limited Testing Determinations states:** The SOS may determine that a modified system will be subject only to limited certification testing if the manufacturer demonstrates that the change does not affect demonstrated compliance for:
   a. Performance of voting system functions.
   b. Voting system security and privacy.
   c. Overall flow of system control.
   d. The manner in which ballots are defined and interpreted, or voting data are processed.
   Limited testing is intended to facilitate the correction of defects, the incorporation of improvements, the enhancement of portability and flexibility, and the integration of vote-counting software with other systems and election software.

3. **CVSS section 9.12 System Change Notes states:** Manufacturers submitting modifications for a system that has been tested previously and received national certification shall submit system change notes. These will be used by the S-ATA to assist in developing and executing the test plan for the modified system. The system change notes shall include the following information:
   a. Summary description of the nature and scope of the changes, and reasons for each change.
   b. A listing of the specific changes made, citing the specific system configuration items changed and providing detailed references to the documentation sections changed.
   c. The specific sections of the documentation that are changed (or completely revised documents, if more suitable to address a large number of changes).

         d. Documentation of the test plan and procedures executed by the manufacturer for testing the individual changes and the system as a whole, and records of test results.

4. OVSTA will conduct all necessary tests of each component of the California-approved voting system that is affected by the requested change or modification. If OVSTA concludes an approved component of the system is not affected by the change or modification and no testing is necessary, the OVSTA report will include a narrative explanation of how it reached that conclusion.

5. If the proposed changes or modifications are to the source code, OVSTA will thoroughly examine and compare the original and changed source code, and explain any finding it issued that the changes do not adversely affect the functionality or security of the voting system.
         a. The vendor must submit a copy of the modified source code to the Secretary of State's office, along with the vendor report on the source code changes.
         b. In the event administrative approval is granted, the modified source code must be escrowed with an approved California escrow facility before it can be used in a California election.

After receiving and reviewing all documentation, the Secretary of State will determine whether the proposed change or modification requires further review and testing.

The Approval Process

The time required for OVSTA to review and make a determination as to whether the proposed change or modification impairs the accuracy or efficiency of the voting system or remote accessible vote by mail system will depend on:

1. How long it takes the vendor to supply OVSTA with all of the required documentation and software, as applicable;
2. The nature and complexity of the proposed change or modification; and
3. OVSTA's current workload.

Questions

For further information, please contact OVSTA at (916) 695-1680 or votingsystems@sos.ca.gov.