



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | **Tel** 916.695.1680 | **Fax** 916.653.4620 | www.sos.ca.gov

February 27, 2019

County Clerk/Registrar of Voters (CC/ROV) Memorandum #19015

TO: All County Clerks/Registrars of Voters

FROM: /s/ Susan Lapsley
Office of Voting Systems Technology Assessment

RE: Notice of Withdrawal of Certification and Conditional Approval of Voting Systems -
Effective August 27, 2019

In counties throughout the state, voting systems are at or near their life expectancy, with some voting system vendors no longer making replacement parts and/or no longer providing tech support. Meanwhile, the state budget for FY 2018/2019 includes \$134 million for purposes of upgrading or replacing aging voting systems. The Secretary of State continues to advocate for additional and ongoing funding for California election modernization and administration.

This CC/ROV serves as notice that the Secretary of State, pursuant to the authority granted in Elections Code Section 19232 withdraws certification and conditional approval of all California voting systems, in whole or in part, not tested and certified to the [California Voting System Standards](#) (CVSS), effective August 27, 2019. Elections Code section 19232 states that “the Secretary of State may decertify any voting system or part thereof, determined to be defective, obsolete, or unacceptable.” The voting systems being decertified contain obsolete hardware and software components, and employ end-of-life operating systems that are no longer supported. This Notice of Withdrawal does not apply to other voting technology such as Remote Accessible Vote By Mail systems (RAVBMs) or Electronic PollBooks.

For your reference, as of February 27, 2019, the following voting systems have been tested and certified to CVSS:

- Dominion Voting Systems, Inc. - Democracy Suite 5.2 Voting System;
- County of Los Angeles - Voting Solutions for All People (VSAP) Tally 1.0 System; and
- HART InterCivic, Inc. - Verity Voting 3.0.1 Voting System.

Additionally, the following voting systems are currently being reviewed and tested to CVSS:

- Dominion Voting Systems, Inc. - Democracy Suite 5.10;
- County of Los Angeles - Voting Solutions for All People (VSAP) Tally Version 2.0; and
- Election Systems and Software, Inc. - EVS 6.0.4.2

Public Hearing and Comment Period

While not required by state law, the Secretary of State calls for a public hearing to provide interested persons an opportunity to express their views regarding this withdrawal of certification and conditional approval of voting systems not tested and certified to CVSS. The hearing will take place on March 19, 2019 at 1:00 pm at the State Capitol, 1315 10th Street, Room 3191, Sacramento, California 95814. Anyone wishing to submit written comments can do so by delivering it in person at the hearing or via U.S. postal service, or by e-mailing it to votingsystems@sos.ca.gov by 5:00 p.m. on March 27, 2019.

Request for Conditional Approval for Extension of Use

The withdrawal is effective August 27, 2019, however, pursuant to Elections Code section 19232, any election scheduled six months from August 27, 2019, shall not be affected by this action. Therefore, any federal, state, county, municipal, district or school election scheduled from August 27, 2019, until February 27, 2020, may continue to use voting systems not tested and certified to CVSS.

Additionally, the Secretary of State acknowledges that there may be circumstances that may hinder a jurisdiction from implementing a CVSS certified voting system by February 27, 2020, including, but not limited to, delays in the procurement process or a county budget. In recognition of unique challenges a county may face, a written Request for Conditional Approval for Extension of Use may be submit by a county to the Secretary of State seeking to utilize a decertified system for any election scheduled after February 27, 2020. The request must be submitted by April 5, 2019, and include the following:

1. The jurisdiction's justification for Conditional Approval for Extension of Use.
2. The jurisdiction's plan and schedule to implement a CVSS certified voting system, which shall include at a minimum:
 - a. Executive Summary
 - b. Procurement Schedule
 - c. Staff Training Schedule
 - d. Implementation Date

Key Dates

- February 27, 2019 to March 28, 2019 – Written public comment period.
- March 19, 2019 – Public Hearing
- April 5, 2019 - Request for Conditional Approval for Extension of Use deadline.
- August 27, 2019 – Withdrawal Effective
- August 27, 2019 to February 27, 2020 – Jurisdictions may continue to use voting systems not tested and certified to CVSS.
- February 28, 2020 – Voting systems not tested and certified to CVSS may no longer be used, except for those jurisdictions that have received a Conditional Approval for Extension of Use by the SOS.

Should you have questions regarding this memorandum, please contact OVSTA at [\(916\) 695-1680](tel:9166951680).