

**Effective 3/26/2019**

**20A-5-802 Certification of voting equipment.**

- (1) For the voting equipment used in the jurisdiction over which an election officer has authority, the election officer shall:
  - (a) before each election, use logic and accuracy tests to ensure that the voting equipment performs the voting equipment's functions accurately;
  - (b) develop and implement a procedure to protect the physical security of the voting equipment; and
  - (c) ensure that the voting equipment is certified by the lieutenant governor under Subsection (2) as having met the requirements of this section.
- (2)
  - (a) Except as provided in Subsection (2)(b)(ii):
    - (i) the lieutenant governor shall ensure that all voting equipment used in the state is independently tested using security testing protocols and standards that:
      - (A) are generally accepted in the industry at the time the lieutenant governor reviews the voting equipment for certification; and
      - (B) meet the requirements of Subsection (2)(a)(ii);
    - (ii) the testing protocols and standards described in Subsection (2)(a)(i) shall require that a voting system:
      - (A) is accurate and reliable;
      - (B) possesses established and maintained access controls;
      - (C) has not been fraudulently manipulated or tampered with;
      - (D) is able to identify fraudulent or erroneous changes to the voting equipment; and
      - (E) protects the secrecy of a voter's ballot; and
    - (iii) The lieutenant governor may comply with the requirements of Subsection (2)(a) by certifying voting equipment that has been certified by:
      - (A) the United States Election Assistance Commission; or
      - (B) a laboratory that has been accredited by the United States Election Assistance Commission to test voting equipment.
  - (b)
    - (i) Voting equipment used in the state may include technology that allows for ranked-choice voting.
    - (ii) The lieutenant governor may, for voting equipment used for ranked-choice voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, certify voting equipment that has been successfully used within the United States or a territory of the United States for ranked-choice voting for a race for federal office.

Amended by Chapter 305, 2019 General Session