

SB0872 BY SENATOR BILL KETRON / HB0614 BY REP. CURRY TODD (R-Collierville)

As amended, will delay implementation of the Tennessee Voter Confidence Act until November 2012.

WHAT IS THE TENNESSEE VOTER CONFIDENCE ACT (TVCA)?

- Mandates the use of paper ballots for all 95 Tennessee counties by November 2010
- The paper ballot becomes the ballot of record for recount and audit purposes
- Mandates replacing the current paperless touch-screen voting machines (also called "direct record electronic" machines or DREs) used now in 93 out of 95 Tennessee counties with precinct-based optical scan machines that count paper ballots.
- Requires random post-election audit of paper ballots in 3% of precincts.
- Improves security and integrity of elections in Tennessee.

ARGUMENTS GIVEN BY SECRETARY OF STATE'S OFFICE TO DELAY UNTIL 2012

Argument #1: There are no optical scan machines currently certified by the Election Assistance Commission (EAC) to 2005 standards that could be purchased to implement the TVCA.

Argument #2: The costs of making the change to paper ballots, with its ongoing operational costs, are too high and too burdensome on cities and counties.

Argument #3: If we move forward to purchase optical scan machines in time for the 2010 elections, we might be faced with the need to replace that equipment later because of future federal mandates.

Argument #4: There is not enough time to implement by November 2010.

REBUTTALS, FACTS, & TALKING POINTS TO ADVOCATE FOR IMPLEMENTATION BY 2010

Argument #1 Rebuttal: Machine Purchase:

- Optical scan machines that meet 2002 standards can be purchased and are currently used without issue in both Hamilton and Pickett counties (as well as other states).

Argument #2 Rebuttal: Prohibitive Costs

- The cost of purchasing all the equipment to make the change will be covered completely by federal funds left over from the Help American Vote Act.
- Ongoing operating costs of using optical scan machines are lower than those of DREs. (Studies in North Carolina and Florida show as much as 30% to 50% lower)
- One optical scan machine will replace 5-10 DREs (or more) in each precinct, which means fewer ongoing costs for service/repair/software, as well as lower equipment storage and transportation costs.

Argument #3 Rebuttal: Replacement of Newly Purchased Machines

- Any future federal mandates must also be federally funded.

Argument #4: Time Constraints

- There is 18 months before the November 2010 election. New Mexico, Nevada and North Carolina were able to make the switch in only 8 months.

Importance of TVCA to democratic process:

- I want my vote to be counted and counted as cast.
- DREs are unsecure and unreliable.
- DREs are useless for audits and recounts.
- Paper ballots create a permanent and re-countable record of each vote.

Further info can be found at <http://votesafetn.org/>