

20150. Definition of Electronic Poll Book

“Electronic poll book” means an electronic list of registered voters that may be transported to the polling location. An electronic poll book shall contain all of the following voter registration data:

- (1) Name.
- (2) Address.
- (3) Precinct.
- (4) Party preference.
- (5) Whether or not the voter has been issued a vote by mail ballot.
- (6) Whether or not the vote by mail ballot has been recorded as received by the elections official.

20151. Certification of Electronic Poll Book

- (a) In determining whether to certify, decertify, or withhold certification of an electronic poll book system, the Secretary of State shall apply the requirements entitled “California Electronic Poll Book Requirements,” which are hereby incorporated by reference.
- (b) The publication entitled “California Electronic Poll Book Requirements,” may be accessed on the Internet at www.sos.ca.gov or obtained by submitting a written request to the Secretary of State, 1500 11th Street, Sacramento, California 95814.

Note: Authority cited: Section 12172.5, Government Code and Sections 2550, Elections Code.
Reference: Sections 2550, Elections Code.

20152. Application

- (a) Any person, corporation, or public agency owning or having an interest in the sale or acquisition of an electronic poll book may apply to the Secretary of State for certification of such system. The application shall include the following:
 - (1) Information about the applicant, including name, address, telephone number, and business address, if applicable;
 - (2) Identification of the specific electronic poll book system to be evaluated for certification. Each electronic poll book system or version of an electronic poll book system requires a separate request for certification. Each component of the hardware, firmware, and software must be identified by version number.
 - (3) A signed confidentiality agreement providing the Secretary of State, upon demand, source code for all software and firmware and a working model of the electronic poll book systems.
 - (4) All the documentation necessary for the identification of the full system configuration submitted for evaluation and for the development of an appropriate test plan for conducting system certification testing, collectively referred to as the Technical Data Package (TDP) as described in “California Electronic Poll Book Requirements (January 2016)”.
 - (5) Documentation and description of any known anomalies, including a description of the root cause and resolution.

- (6) Documentation from election jurisdictions that have certified the proposed electronic poll book system.
- (7) Whether the proposed electronic poll book system has ever been denied certification or had certification withdrawn in any other state.
- (8) A list of election jurisdictions using or previously having used the proposed electronic poll book system.

Note: Authority cited: Section 12172.5, Government Code and Sections 2550, Elections Code.
Reference: Sections 2550, Elections Code.

20153. Deposit of Funds into an Agency Trust Account.

- (a) The applicant, with the application documentation, shall place an initial deposit of funds into an Agency Trust Account in the amount of \$15,000.
- (b) If the initial deposit is not sufficient to reimburse the cost of all expenditures associated with the examination of the electronic poll book, the Secretary of State's office will require an additional deposit of funds into the Agency Trust Account to be received by the Secretary of State's office as directed. If the Secretary of State's office does not receive such additional deposit of funds as directed, it may suspend the certification process.
- (c) After all expenditures have been paid, the Secretary of State's office shall notify the applicant of any amount in excess of those expenditures. The applicant may request that the amount in excess of those expenditures be refunded or held in the Agency Trust Account for future testing and certification.

20154. Application Complete Before Examination Begins.

Only after the Secretary of State's office has received a completed application, including the deposit of funds into an Agency Trust Account, may an examination begin. No application shall be deemed to be complete until all required documentation and funds for examination have been submitted to the Secretary of State's office.

Note: Authority cited: Section 12172.5, Government Code and Sections 2550, Elections Code.
Reference: Sections 2550, Elections Code.

20155. Examination Testers.

The Secretary of State's office shall conduct and/or oversee the examination of electronic poll books. The Secretary of State may use a state-approved testing agency as defined in Division 19 of the Elections Code to assist in the examination.

Note: Authority cited: Section 12172.5, Government Code and Sections 2550, Elections Code.
Reference: Sections 2550, Elections Code.