CHAPTER 8220

SECRETARY OF STATE

CERTIFICATION AND TESTING OF VOTING SYSTEMS

8220.0050 CONDUCT OF ELECTIONS.

Except as provided in Minnesota Statutes or in parts 8220 0050 to 8230 4395, elections shall be conducted in the manner prescribed for precincts using paper ballots in the Minnesota election law

Statutory Authority: *MS s 206 57; 206 81*

History: *23 SR 459*

8220.0150 MINIMUM STANDARDS.

Parts 8220.0050 to 8230.4395 set minimum standards for procedures in the use of electronic voting systems An election jurisdiction may by resolution require additional procedures

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.0250 DEFINITIONS.

Subpart 1 **Scope.** As used in parts 8220 0150 to 8230 4395, terms defined in Minnesota Statutes, section 206 56, have the meanings given them in that section, and the following terms defined in this part have the meanings given them

Subp 1a. **Audit trail.** "Audit trail" means any documentation of changes made to voting system programming, the incident report, and the report generated by an electronic voting system on election day

[For text of subp 2, see M R]

Subp 2a **Ballot box.** "Ballot box" means a locked or sealed container into which voters deposit ballots on election day

Subp 3 [Repealed, 23 SR 459]

Subp 3a **Ballot counter.** "Ballot counter" means an automatic tabulator that is capable of counting votes on ballots as they are deposited into the tabulator

Subp 4 [Repealed, 23 SR 459]

Subp 4a **Ballot style.** "Ballot style" means a unique ballot format prepared for use in one or more precincts in which all ballot information is identical

Subp 5. [Repealed, 23 SR 459]

Subp 5a. **Central count voting system.** "Central count voting system" means an electronic voting system designed to count ballots from more than one precinct at a central counting center.

Subp 5b. **Central counting center.** "Central counting center" means a place selected by the governing body of an election jurisdiction where an electronic voting system is used to count ballots from more than one precinct

Subp. 6 [Repealed, 23 SR 459]

[For text of subp 7, see M R]

Subp 8 [Repealed, 23 SR 459]

Subp 9 [Repealed, 23 SR 459]

Subp 10 **Damaged ballot.** "Damaged ballot" means a valid ballot cast by a voter that is mutilated at the precinct, in transportation to the central counting center, or in processing at the central counting center to the extent that it cannot be entered into the voting system and must be duplicated

Subp. 11 **Demonstration ballot.** "Demonstration ballot" means a ballot of a distinctive color used to instruct voters in the use of the voting system

Subp 12 [Repealed, 23 SR 459]

Subp 13. [Repealed, 23 SR 459]

Subp 14 **Duplicate ballot.** "Duplicate ballot" means a ballot on which the word "DUPLICATE" is printed, stamped, or written to which election judges transfer a voter's selections from the original ballot when necessary.

Subp 15 **Edit listing.** "Edit listing" means a computer–generated listing showing, in the order that they appear in the computer program for each precinct, the offices and questions to be voted on and the candidates' names.

Subp 16 **Election jurisdiction.** "Election jurisdiction" means any municipality, school district, county, or special election district holding responsibility for an election or part of an election.

Subp 17 **Hardware.** "Hardware" means the electromechanical and electronic equipment used to tabulate votes.

Subp. 18 **Header card.** "Header card" means a special ballot used to initiate voting, end voting, or enable tabulation of absentee ballots

Subp 18a **Incident report.** "Incident report" means a record made by election judges in the polling place on election day of unusual events that occurred in that polling place on election day

Subp 19 [Repealed, 23 SR 459]

Subp. 20. **Operating system.** "Operating system" means a collection of programs that control the overall operation of a voting system

[For text of subp 21, see M R]

Subp 22 [Repealed, 23 SR 459]

Subp. 22a **Precinct count counting center.** "Precinct count counting center" means a precinct where a precinct count voting system is used to count votes on ballots at the precinct polling place as voters deposit the ballots into the ballot box

Subp 22b **Precinct count voting system.** "Precinct count voting system" means an electronic voting system designed to store ballot configurations and vote totals on a removable memory unit and to tabulate ballots at the precinct polling place as voters deposit the ballots into the ballot box

[For text of subp 23, see M R]

Subp 24 **Public accuracy test.** "Public accuracy test" means a public test conducted prior to election day for the purpose of demonstrating the accuracy of the computer program and voting system which will be used to count the ballots and to demonstrate and explain the testing procedures being used to determine the accuracy

Subp. 25 [Repealed, 23 SR 459]

Subp 25a. **Secrecy cover.** "Secrecy cover" means a cover to be used by the voter to conceal the votes marked on the ballot.

Subp 26 **Self–contained voting station.** "Self–contained voting station" means a unit that when assembled creates a private space enclosed beneath and on three sides and with adequate lighting in which a voter may mark a ballot

Subp 27 **Software.** "Software" means programs, languages, or routines that control the operations of a voting system used to record and tabulate votes

Subp. 28 [Repealed, 23 SR 459]

Subp 28a. **Summary statement.** "Summary statement" means the certification supplied by the election jurisdiction to each precinct on which to record the information required by Minnesota Statutes, section 204C.24, subdivision 1, and any other information requested by the election jurisdiction or the secretary of state

Subp. 29 [Repealed, 23 SR 459]

Subp 30 **Test deck.** "Test deck" means a set of preaudited mock voted ballots used to determine that the voting system and software to be used in the election accurately count and process the votes

Subp 31 **Transfer case.** "Transfer case" means a container for transporting voted ballots.

[For text of subps 32 and 33, see M.R]

Subp 34 **Valid vote.** "Valid vote" means a voted ballot cast according to the instructions for the electronic voting system in keeping with the Minnesota election law and parts 8220 0050 to 8230.4395

Subp. 35 **Vendor.** "Vendor" means an individual or organization other than an election jurisdiction supplying any element of an electronic voting system, including but not limited to hardware, software, and programming services

Subp. 36 **Vote.** "Vote" means an indication of voter intent counted by electronic methods.

Subp. 37 [Repealed, 23 SR 459]

[For text of subp 38, see M R.]

Statutory Authority: *MS s 206.57, 206 81*

History: *23 SR 459*

8220.0325 TIMING.

All applications for examination and certification of electronic voting systems and for recertification of electronic voting system software must be submitted to the secretary of state between December 1 of an even–numbered year and September 1 of the following odd–numbered year.

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.0350 APPLICATION.

An application by a vendor pursuant to Minnesota Statutes, section 206 57, for examination of an electronic voting system must be accompanied by the following.

[For text of items A and B, see M R]

C all technical manuals and documentation related to the system;

[For text of item D, see M R.]

E. a list of all state election authorities that have tested and approved the system for use,

F a list of all election jurisdictions where the system has been used for elections,

G a description of any support services offered by the vendor and of all peripheral equipment that can be used in conjunction with the system,

H recommended procedures for use of the system at Minnesota elections including procedures necessary to protect the integrity of the election,

I. specifications for materials and supplies required to be used with the system,

J specifications for stickers for write–in votes that can be used with the system;

K explanation of the level of technical expertise required to program or prepare the system for use at an election, and

L certification by an independent testing authority approved by the secretary of state of conformance to standards for voting equipment issued by the Federal Election Commission

The vendor may submit additional material including test reports and evaluations by other states, election jurisdictions, and independent testing agencies The secretary of state

shall make a preliminary review of the application If the secretary of state determines from the preliminary review that the system obviously does not meet provisions of Minnesota election laws, the vendor may withdraw the application and the secretary may refund the deposit

Statutory Authority: *MS s 206 57; 206 81*

History: *23 SR 459*

8220.0450 ACCEPTANCE DEMONSTRATION.

The vendor shall train a designee of the secretary of state in the preparation and operation of the system The training must be at least as extensive as the training required for an election jurisdiction to be able to prepare and use the system at Minnesota elections

The acceptance demonstration must be provided by the vendor and attended by designees of the secretary of state The vendor is responsible for demonstrating that the system can meet all requirements of Minnesota election law and parts 8220 0050 to 8230.4395. In the acceptance demonstration, the vendor of the system must demonstrate the following concerning the system:

[For text of items A and B, see M R.]

C. full audit capability, with an audit trail, which includes a printout of overvotes and undervotes for each office and issue, and with the undervotes recorded directly from the ballots and not determined by subtraction of totals from ballots that were not overvoted,

[For text of items D to G, see M.R]

H. simulation of vote counting involving a configuration of the largest number of voters, precincts, offices, and candidates with which the system is expected to be used, which vote counting includes ballots showing overvotes, undervotes, and invalid votes as well as those with no overvotes or marks in unassigned locations, in many different combinations, and demonstrates rotation sequences and the ability to deal with partisan, nonpartisan, and proposal sections of the ballot independently;

[For text of items I to K, see M.R]

Statutory Authority: *MS s 206.57, 206 81*

History: *23 SR 459*

8220.0550 TESTING AND EXAMINATION.

The secretary of state shall investigate and evaluate the experience of other states and election jurisdictions using the system The secretary of state shall review the results of the acceptance demonstration and perform additional tests as the secretary deems necessary The additional tests may include field testing at simulated or actual elections, technical evaluation of the hardware and software by a designee of the secretary of state, and experimental use as provided in Minnesota Statutes, section 206 81. In determining the need for and extent of additional examination, the secretary of state shall consider the record of use in other states and the extent and experience of use in Minnesota of similar systems

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.0650 APPROVAL OF SYSTEMS.

Subpart 1. **Certification.** If, from the reports of the demonstration and testing, the secretary of state determines that the system complies with Minnesota Statutes and parts 8220 0050 to 8230 4395 and can be used safely at elections, the secretary of state shall issue to the vendor a certification of the system for use in Minnesota The certification must be limited to specific hardware and software configurations and may not extend to models or configurations not examined. The certification may include stipulations or special procedures for use of the system No certification may be issued until the vendor has

A paid all costs of the examination,

B. certified that the vendor and any agent acting on behalf of the vendor will offer the system for use or sale only in accordance with Minnesota Statutes and parts 8220 0050 to 8230.4395 and any stipulations of the certification,

C. certified that the vendor will immediately notify the secretary of state of any modifications to the system and will not offer for sale or provide for use in Minnesota any modified system if the secretary of state advises the vendor that, in the opinion of the secretary, the modifications constitute a significant change requiring that the system be reexamined,

[For text of item D, see M R]

E. deposited with the secretary of state a bond in the amount of $5,000 conditioned on the vendor offering the system for sale in the manner required by parts 8220 0050 to 8230 4395 and any conditions under which the system is certified for use in Minnesota. The form and execution of the bond must be acceptable to the secretary of state. Bonds must be issued by corporations authorized to contract as a surety in Minnesota This bond is not in lieu of any right of action by the purchaser or the state of Minnesota against the vendor or the surety. The bond is required until the adoption, use, or purchase of the system or program is discontinued in Minnesota.

Subp. 2. **Decertification.** If a voting system no longer meets the standards of Minnesota Statutes or parts 8220.0050 to 8230 4395, the secretary of state may withdraw certification of the voting system. The vendor must be given written notification of intent to withdraw certification and may within ten days of receipt of the notification submit a written request to the secretary of state for a contested case hearing under Minnesota Statutes, sections 14 57 to 14 62

Subp 3 **Forfeiture of bond.** If the secretary of state determines that a vendor has offered for sale or use at an election a voting system in a manner other than that required by parts 8220 0050 to 8230 4395 or any conditions under which the system was certified, the bond required by subpart 1, item E, must be forfeited The secretary of state shall notify the vendor of the intent to forfeit the bond in writing and provide the vendor an opportunity to furnish a written explanation to the secretary of state prior to forfeiture No system may be subsequently offered for sale or use at an election by the vendor who has received a notice of intent to forfeit the bond or whose bond has been forfeited, until the vendor has submitted an additional bond in the amount of $5,000. The secretary of state shall notify each official on the user list of a receipt, forfeiture, or restoration of these bonds

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.0700 PERIODIC REEXAMINATION OF SOFTWARE.

After an electronic voting system has been certified by the secretary of state, the software necessary to operate the voting system, tabulate votes, and prepare ballot styles must be reexamined and reapproved by the secretary of state or an independent testing authority approved by the secretary of state at least once every four years and at any time that, in the opinion of the secretary of state, the voting system no longer complies with Minnesota election law The certification or approval of a significant change to a voting system's software satisfies the requirements of this part The secretary of state may waive the reexamination and reapproval requirement in this part if no changes have been made to a voting system's software or if the software continues to operate in conformance with Minnesota election law

Statutory Authority: *MS s 206 57; 207 81*

History: *23 SR 459*

8220.0750 PREPARATION OF COMPUTER PROGRAMS.

Computer programs must be prepared so as to tabulate accurately each voter's choices for all candidates, offices, and measures for which the voter is lawfully entitled to vote in conformity with the laws of Minnesota and parts 8220 0050 to 8230 4395

Computer programs must require an electronically readable precinct identifier or ballot style indicator on all ballots.

The vote tabulation portion of the computer program must be prepared as follows:

A The computer program must reflect the rotation sequence of the candidates' names as they appear on the ballots in the various precincts.

B. The computer program must reflect the offices and questions to be voted on in the order that they appear on the ballots in the various precincts.

C. The computer program must count valid votes cast by a voter for candidates for an office.

D The computer program must count valid votes cast by a voter for or against any question.

E The computer program must not count the votes cast by a voter for an office or question if the number of votes cast exceeds the number which the voter is entitled to vote for on that office or question, but it must record that there is an overvote condition as referred to in part 8220 0450, item **C**.

F The computer program must ignore marks on a ballot in unassigned locations, these marks must have no effect on any portion of the ballot.

G For the purpose of programming, the partisan, nonpartisan, and proposal sections of the ballot are independent ballots; no action of a voter on one section of the ballot may affect the voter's action on another section of the ballot.

H In partisan primary elections, the computer program must count the votes recorded by a voter for candidates in one political party only and reject all of the partisan section of the ballot if votes are cast for candidates of more than one political party, but count valid votes in the nonpartisan section of the ballot.

I. In partisan primary elections the computer program must check for the situation of a voter casting votes for candidates of more than one political party prior to checking for overvote conditions

J If the counting equipment can examine and return a ballot to the voter before counting it, the computer program must check for and reject without counting any ballot with an overvote or, at a partisan primary, with votes cast for candidates of more than one party When the ballot is returned to a voter, an error message must indicate the type of defect and may indicate the specific office or question where the defective condition was found The error message must print on a paper tape or display electronically. If the voting system is capable of emitting an audible signal while electronically displaying the error message, it must do so.

K. A mark indicating a write-in is a vote for the purpose of determining if an overvote condition exists Except where an overvote condition for the office exists, the computer program must record that a write-in has been indicated. The program must count and record valid votes on the ballot for all other offices and questions before a ballot with a write-in recorded is separated from ballots with no write-ins recorded The program must report, by office, the total number of write-ins recorded.

Statutory Authority: *MS s 206 57, 206.81*

History: *23 SR 459*

8220.0800 PROGRAM PREPARATION BONDS.

Subpart 1 **Amount of bonds.** Each vendor preparing programs for use with an electronic voting system shall deposit a bond with the secretary of state in the amount of $5,000. The form of the bond must be acceptable to the secretary of state Bonds must be issued by corporations authorized to contract as a surety in Minnesota This bond is not in lieu of any right of action by the purchaser or the state of Minnesota against the vendor or the surety. The bond is required until the adoption, use, or purchase of the system or program is discontinued in Minnesota.

Subp 2. **Forfeiture of bonds.** If the secretary of state determines that a program used with an electronic voting system was not prepared in the manner required by parts 8220.0050 to 8230 4395 and the written instructions of the official responsible for preparation of the ballots, the bond must be forfeited to the extent necessary to cover actual expenses resulting from the failure of the program The secretary of state shall determine within 45 days after receiving notification of the failure of a program and a request for reimbursement of expenses resulting from the failure of the program from the appropriate election officials, what actual costs were incurred as a result of the program failure. The secretary of state shall notify the vendor of the intent to forfeit the bond in writing and provide the vendor an opportunity to furnish a written explanation to the secretary of state prior to forfeiture If required to meet actual expenses in excess of the amount of the bond posted under subpart 1, the secretary of

state shall use, to the extent necessary, any bond posted by the vendor under part 8220 0650 as compensation to the election jurisdiction. The secretary of state shall notify each official on the user list of any receipt, forfeiture, or restoration of these bonds

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.0825 CANDIDATE ROTATION ALGORITHM.

Subpart 1. **Base rotation.** The secretary of state shall determine the base rotation of candidates' names for partisan offices voted on at the state primary election. The county auditor shall determine the base rotation of candidates' names for all other offices for which rotation is required The county auditor may delegate the authority to determine the base rotation of candidates' names for municipal and school district offices to the municipal and school district clerks, respectively The base rotation must be determined by assigning the initial order of the candidates' names by lot.

Subp. 2 **Base number of registered voters.** For purposes of the rotation algorithm, the county auditor shall determine the number of registered voters in each precinct as of 8.00 a m on June 1 of the election year.

Subp. 3. **Algorithm.** The algorithm in items A to F must be used to determine the rotation sequence for each race for which rotation is required

A Determine the base rotation

B. Determine which precincts belong to the race being rotated.

C. Arrange the precincts in order of the number of registered voters, from largest number to smallest.

D Calculate the number of rotations needed by determining the number of candidates for the office.

E. Starting with the largest precinct, assign a precinct to each rotation If there are more candidates than precincts, stop after the last precinct has been assigned and go on to item F If there are more precincts than candidates, keep a running subtotal of the total registered voters assigned to each rotation After each rotation has been assigned one precinct, assign the next largest precinct to the rotation with the lowest subtotal Continue assigning the next largest precinct to the rotation with the lowest subtotal until all precincts for that race have been assigned

F Print a report by race showing rotation subtotals

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.0850 SCHEDULE FOR COMPLETING PROGRAMS.

No later than five days after candidates' names are certified by the secretary of state, the election jurisdiction responsible for requesting the computer program must supply any information such as candidates' names and base rotation and the order of offices and questions to be voted on to the individuals designated to prepare the computer program The official conducting the election also shall supply the programmers with the rotation algorithm in part 8220 0825 or other instructions regarding the proper rotation sequence for the ballots

The computer program for any election and an exact duplicate of the program for use as backup must be completed and delivered to the election jurisdiction or the county auditor in charge of a common central counting center at least 21 days prior to the election.

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.0950 EDIT LISTINGS.

The person preparing the computer program shall prepare at least two edit listings from the computer program showing, in the order that they appear on the ballots for each precinct, the offices and questions to be voted on and the candidates' names. The edit listings must be delivered to the appropriate election jurisdiction at least 21 days prior to the election

Statutory Authority: *MS s 206.57, 206 81*

History: *23 SR 459*

8220.1050 PREPARATION OF TEST DECK.

The election jurisdiction requesting the computer program must prepare a test deck of ballots to be used to determine that the voting system and the computer program will correctly count the votes cast for all offices and all proposals in compliance with the Minnesota election law

The test deck must test in a manner commensurate with the logic of the computer program, the capabilities of the program, and storage to correctly tally the number of votes which might be cast for any office or question in the election

The test deck must conform to part 8220.1150. A test deck must be prepared specifically for each election.

The test deck prepared must consist of a preaudited configuration of ballots to record a predetermined number of valid votes for each candidate and issue

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.1150 TEST BALLOTS.

All test ballots must be marked "TEST"

Ballots must be prepared having votes in excess of the number allowed by law for each office and proposal appearing on the ballot.

For district offices in which the number of candidates appearing on the ballot for that office varies by district, test ballots must be prepared with the number of votes allowed by law for that office in that district

In partisan primary elections test ballots must be prepared to check the program for splitting tickets Test ballots must be prepared with votes appearing in the same ballot for candidates of opposite political parties, nonpartisan candidates, and proposals At least one ballot must be prepared with votes for one party and including votes for a nonpartisan office in excess of the number permitted by law.

In preparing the test deck, a number of the ballots must be voted to include valid votes in the partisan, nonpartisan, and proposal sections of the ballot The test deck must include ballots involving no overvotes or marks in unassigned locations, valid votes for each candidate and ballot question, overvotes, undervotes, and invalid votes in many different combinations.

At least one test ballot must be prepared in which marks appear in the precinct identifier or ballot style indicator

Blank ballots in which no positions have been voted must be included in the test deck.

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.1250 [Repealed, 23 SR 459]

8220.1350 PRELIMINARY TESTING OF COMPUTER PROGRAMS.

Prior to the public accuracy test, the election jurisdiction providing the computer programs shall test the voting systems and programs to ascertain that they will correctly count the votes for all offices and measures The computer programs must be tested on all precincts

The election jurisdiction requesting the computer programs shall compare the edit listing against the zero tape and ballots of all precincts to ascertain that the appropriate ballots are in each precinct and that the offices and questions to be voted on and the candidates' names are in the order that they appear on the ballots for each precinct Each election jurisdiction shall make a certificate as to the above matters and file it with the county auditor

The test must be conducted using the test deck prepared under the direction of the election jurisdiction, and the results must be compared against the predetermined results of the test deck

Statutory Authority: *MS s 206 57, 206.81*

History: *23 SR 459*

8220.1450 DUTIES UPON COMPLETION.

When an errorless count has been made on all precincts, the election jurisdiction providing the computer program must·

A. secure all computer programs, all support software used except the operating system, test decks, test results, and predetermined results of the test decks in a sealed container stored in a secured area,

B. secure all memory units containing the election program,

C. secure a duplicate copy of all computer programs, including support software and application programs, in a location separate from the working copy, and

D prepare a certificate that all precincts have been tested using the test deck prepared under the direction of the election jurisdiction and that the results agree with the predetermined results of the test deck. The certificate must contain the numbers of any seals used to seal the container or memory units and may be combined with the certificate required in part 8220 1750.

Statutory Authority: *MS s 206 57; 206 81*

History: *23 SR 459*

8220.1550 PUBLIC ACCURACY TEST.

A public accuracy test must be held within 14 days prior to the election for the purpose of demonstrating the accuracy of the computer programs and voting systems to be used at the election. The public accuracy test must be conducted according to Minnesota Statutes, section 206.83.

The time and place of the public accuracy test must be designated by the election jurisdiction providing the computer program, which must give at least 48 hours' public notice of the time and place of the test by publication in official newspapers and by posting a notice in the office of the county auditor and each local election official conducting the test.

The test must be open to the public At least two election judges of different political parties must witness the test The chief election official of the election jurisdiction shall explain the methods and test procedures used to determine the accuracy of the computer programs. This will include submitting as public record the certificate prepared in accordance with part 8220 1450 that all precincts have been tested using the test deck prepared under the direction of the election jurisdiction.

The sealed container containing the computer programs, test deck, and predetermined results must be opened and the computer programs tested to determine their accuracy on the voting systems on which they are to be used on election day. The initial testing of the voting systems and programs must be with the test deck prepared under the direction of the election jurisdiction In election jurisdictions with three or fewer precincts, all the precincts must be tested In election jurisdictions with more than three precincts, a minimum of three precincts must be tested One precinct from each congressional district, legislative district, county commissioner district, ward, and school district on the ballot must be tested. The official conducting the election shall select the precincts to be tested.

The backup computer program prepared and delivered according to part 8220.0850 must be tested on the voting system on which it would be used on election day. The test decks used in these procedures must be the ones prepared in accordance with parts 8220 0750 to 8220.1850 Any test ballots made under parts 8220.0750 to 8220 1850 must be marked "TEST"

If an error is detected in any part of the testing, the cause must be ascertained, the error corrected, and an errorless count must be made on all precincts. At the discretion of the election jurisdiction, the meeting may be adjourned to a time and date certain

Statutory Authority: *MS s 206 57; 206 81*

History: *23 SR 459*

8220.1650 ADDITIONAL TEST DECKS.

Upon request, the secretary of state must be provided a set of blank ballots to be used as a test deck for any state, county, municipal, special district, or school district election computer program. The secretary's request shall indicate the number of blank ballots to be delivered for the test deck. The use of test decks provided by the secretary of state does not substitute

for the requirement for an election jurisdiction to prepare and use a test deck in accordance with parts 8220 1050 and 8220 1150

Statutory Authority: *MS s 206 57, 206.81*

History: *23 SR 459*

8220.1750 CERTIFICATE OF PUBLIC ACCURACY TEST.

After the completion of the public accuracy test and an errorless count has been made, the election jurisdiction must certify the results of the test conducted The certificate must be signed by the witnesses. The certificate may be combined with the certificate required in part 8220.1450, item D.

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.1850 SECURING COMPUTER PROGRAMS.

Immediately after certifying the results of the public accuracy test, the election jurisdiction must secure all computer programs, software utilized, test decks, certified computer results of the test, and the predetermined results in a container which must be sealed in a manner so that the container cannot be opened without breaking the seal If a precinct count voting system is used to count ballots, it must be sealed with the memory pack containing the election programs inside. Attached to or inside the container must be a certificate describing its contents. The certificate must be signed by the witnesses

All computer programs, test decks, and other related materials must be clearly identified as to the voting system on which they were tested and must be used on no other voting system until tested in accordance with parts 8220.1550 to 8220 1850.

Statutory Authority: *MS s 206.57, 206 81*

History: *23 SR 459*

SECURITY OF VOTING SYSTEMS AND PROGRAMS

8220.2050 ISOLATION FROM OTHER INFLUENCES.

The voting system must be set up so that the vote–tallying procedures will function in isolation from other influences while being tested or operated on election day. No physical connection must exist between a precinct count voting system and any other computer during hours that voting is occurring in that precinct on election day.

Statutory Authority: *MS s 206.57; 206 81*

History: *23 SR 459*

8220.2150 [Repealed, 23 SR 459]

8220.2350 [Repealed, 23 SR 459]

8220.2450 [Repealed, 23 SR 459]

8220.2550 [Repealed, 23 SR 459]

8220.2650 [Repealed, 23 SR 459]

8220.2850 CONTROL OF COMPUTER PROGRAM CHANGES.

After completion of the public accuracy test, every change to a computer program used for vote tallying and under control of the election jurisdiction must be authorized, approved, and documented by the responsible authority of the election jurisdiction. The documentation must include the time and date of each action

Statutory Authority: *MS s 206 57, 206 81*

History: *23 SR 459*

8220.2950 [Repealed, 23 SR 459]

8220.3050 [Repealed, 23 SR 459]

8220.3150 [Repealed, 23 SR 459]

8220.3250 [Repealed, 23 SR 459]

8220.3350 [Repealed, 23 SR 459]

8220.3450 [Repealed, 23 SR 459]

8220.3550 [Repealed, 23 SR 459]

8220.3650 [Repealed, 23 SR 459]

8220.3750 [Repealed, 23 SR 459]

8220.3850 [Repealed, 23 SR 459]

8220.3950 [Repealed, 23 SR 459]

8220.4050 [Repealed, 23 SR 459]

8220.4150 [Repealed, 23 SR 459]

8220.4250 [Repealed, 23 SR 459]