1   SAN FRANCISCO ELECTIONS COMMISSION

2   **Open Source Voting Pilot Resolution (DRAFT)**

3   (Adopted by the San Francisco Elections Commission (X-X) on XXX.)

4

5   WHEREAS, The City and County of San Francisco has a long history of support

6   for open source voting, including several resolutions adopted both by the Board of

7   Supervisors and the Elections Commission, starting as far back as 2007;

8   WHEREAS, California Elections Code Section 19209 allows a county to conduct

9   during an election a pilot program that provides for the experimental use of a voting

10   system in a limited number of precincts or locations, provided that the voting system

11   meets certain requirements, including that it uses only software and firmware with

12   disclosed source code, except for unmodified commercial off-the-shelf software and

13   firmware;

14   WHEREAS, On August 11, 2021, San Francisco Board of Supervisors President

15   Shamann Walton and San Mateo County Board of Supervisors President David Canepa

16   wrote a letter to California Secretary of State Shirley Weber requesting that she adopt

17   regulations governing voting system pilot programs, as required by the Elections Code;

18   WHEREAS, The San Francisco-based nonprofit VotingWorks has developed a

19   voting system that is the only open source voting system used in United States

20   elections;

21   WHEREAS, On September 10, 2021, VotingWorks wrote a letter to San

22   Francisco offering to help San Francisco conduct, at no expense to San Francisco, a

23   pilot of an open source voting system during the November 8, 2022 Consolidated

1   General Election, which would be the first election in California in which an open source

2   voting system is piloted;

3   WHEREAS, On February 10, 2021, the United States Election Assistance

4   Commission (EAC) adopted the Voluntary Voting System Guidelines (VVSG) version

5   2.0, which establishes modern standards for voting systems, including accessibility

6   standards, and marks the first significant update to federal standards since the EAC

7   adopted VVSG 1.0 in 2005;

8   WHEREAS, In response to feedback from the Director of Elections, VotingWorks

9   has proposed that one goal of the pilot be to focus on accessibility improvements by

10   usability testing the first accessible ballot marking devices developed to VVSG 2.0,

11   while the other voting system vendors have stated publicly that they will not submit

12   voting systems for certification to VVSG 2.0 until after the 2024 election cycle;

13   WHEREAS, The California Elections Code requires that counties wanting to

14   conduct a pilot program submit a plan for a pilot program to the Secretary of State no

15   later than nine months before the election at which the pilot program of a voting system

16   is proposed to be conducted;

17   WHEREAS, On November 12, 2021, Secretary of State Weber replied to

18   President Walton and President Canepa, saying that the Secretary of State has begun

19   the process of creating regulations and outlining the information that San Francisco

20   should provide;

21   WHEREAS, During the Roll Call for Introductions of the November 16, 2021

22   Board of Supervisors meeting, President Walton requested legislation from the City

23   Attorney regarding the San Francisco Department of Elections submitting a plan to the

1   Secretary of State no later than February 8, 2022, so as to allow a pilot to be conducted

2   during the November 2022 election; now, therefore be it

3   RESOLVED, That the Elections Commission supports President Walton's

4   request for legislation to move the open source voting pilot process forward and

5   encourages the Board of Supervisors to pass it; and, be it

6   FINALLY RESOLVED, That the Commission request that San Francisco join

7   President Walton and work with the Secretary of State to ensure that regulations

8   governing voting system pilot programs are adopted in time for San Francisco to

9   conduct a pilot during the November 2022 election.