



Ohio Revised Code

Section 3506.14 Testing and auditing of voting equipment.

Effective: April 7, 2023

Legislation: House Bill 458

(A) Prior to each election, the board of elections shall do both of the following as instructed by the secretary of state:

(1) Test and audit the variable codes applicable to that election to verify the accuracy of any computer program that will be used for tallying the ballot cards for each precinct in which an election will be held;

(2) Conduct systematic logic and accuracy testing of every component of every voting machine, marking device, or piece of automatic tabulating equipment with every ballot style to be used in the election to ascertain that the ballots are accurate and that the machines, devices, and equipment will accurately record, mark, or count the votes cast for all offices and on all questions and issues, as applicable. The test shall be conducted by processing a pre-audited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each question and issue, and shall include for each office one or more ballots that have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject those votes. In that test a different number of valid votes shall be assigned to each candidate for an office, and for and against each question and issue. If an error is detected, the cause for the error shall be ascertained and corrected and an errorless count shall be made and certified to by the board before the count is started.

(B) All automatic tabulating equipment to be used in an election shall pass the same testing described in division (A)(2) of this section at the beginning and conclusion of the election day count before the election returns are approved as official.

(C) The board shall give public notice of the time and place of all testing to be conducted under this section by proclamation or posting as in the case of notice of elections. All testing under this section shall be conducted by bipartisan teams of election officials.



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(D) No voting machine, marking device, or piece of automatic tabulating equipment shall be used in an election in this state without undergoing successful testing under this section.

(E) On completion of the election day count, the programs, test materials, and ballots shall be sealed and retained as provided for paper ballots in section 3505.31 of the Revised Code.