

STATEMENT OF EMERGENCY

31 KAR 2:030E

This emergency regulation is being promulgated pursuant to both KRS 13A.190(1)(a)(1), to meet an imminent threat to public welfare, as well as, KRS 13A.190(1)(a)(3), to meet an imminent deadline for the promulgation of an administrative regulation established by state statute. Section 150 of the Kentucky Constitution requires free and fair elections in the Commonwealth; KRS 118.025(4) sets November 8, 2022 as the date for the next regular election, while KRS 118.025(3) sets May 16, 2023 as the date for the next primary nomination of candidates; KRS 117.379(2)(c), enacted through 2022 Ky. Act ch. 172, sec. 3, requires that any e-poll book product used in the Commonwealth be approved and certified through an examination and approval of the State Board of Elections beginning September 1, 2022. This is being filed as an emergency administrative regulation to ensure the administrative regulations and procedures required by statute to promote free and fair elections are in effect for upcoming elections. This emergency administrative regulation is temporary in nature will be replaced by an ordinary administrative regulation. The companion ordinary administrative regulation is identical to this emergency administrative regulation.



ANDY BESHEAR
Governor



KAREN SELLERS
Director, State Board of Elections

1 STATE BOARD OF ELECTIONS

2 (New Emergency Administrative Regulation)

3 31 KAR 2:030E. E-Poll Book Product Certification.

4 RELATES TO: KRS 117.001(8), 117.379(2)(c)

5 STATUTORY AUTHORITY: KRS 117.015(1)(a), 117.379(2)(c)

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 117.015(1)(a) authorizes the State
7 Board of Elections to promulgate administrative regulations necessary to properly carry
8 out its duties. KRS 117.379(2)(c) requires the State Board of Elections to promulgate
9 administrative regulations that establish certification requirements for the approval and
10 certification of e-poll book products used in the Commonwealth. This administrative
11 regulation provides for those measures.

12 Section 1. Beginning September 1, 2022, all e-poll book products, as defined by
13 KRS 117.001(8), sought to be used in the Commonwealth shall be approved and certified
14 if the examiners' report outlined in KRS 117.379(2)(c), and the State Board of Elections
15 find that the e-poll book product meets the certification requirements outlined in Form
16 SBE 2030, "Certification Procedures For E-Poll Book Products," 09/2022.

17 Section 2. Incorporated by Reference. (1) "Certification Procedures For E-Poll
18 Book Products," Form SBE 2030, 09/2022.

- 1 (2) This material may be inspected, copied, or obtained, subject to applicable
- 2 copyright law, at the State Board of Elections, 140 Walnut Street, Frankfort, Kentucky
- 3 Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.



Karen Sellers
Executive Director, State Board of Elections

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this new administrative regulation shall be held on October 28, 2022, at 10:00 a.m. ET, at the Office of the State Board of Elections. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. This hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until October 31, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Taylor Brown, General Counsel, 140 Walnut Street, Frankfort, Kentucky 40601, Phone: (502) 782-9499, Email: TaylorA.Brown@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

31 KAR 2:030E Contact Person: Taylor Brown, phone: 502-782-9499, email: TaylorA.Brown@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes certification requirements for the approval and certification of e-poll book products used in the Commonwealth.

(b) The necessity of this administrative regulation: This administrative regulation is necessary given the mandate of KRS 117.379(2)(c).

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 117.015(1)(a) authorizes the State Board of Elections to promulgate administrative regulations necessary to properly carry out its duties.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation fulfills the mandate of KRS 117.379(2)(c).

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

This is a new administrative regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This administrative regulation will affect e-poll book vendors and the State Board of Elections.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment. To comply with this administrative regulation, e-poll book vendors will need to follow the certification requirements outlined, while the State Board of Elections will need to make sure the requirements are followed by the vendors.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The State Board of Elections estimates that the implementation of this administrative regulation will have minimal costs.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Compliance with this new administrative regulation will benefit all in ensuring that all e-poll book products used in the Commonwealth are reviewed and certified.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: The cost of the implementation of this administrative regulation for the State Board of Elections will be minimal as it will require only the creation of the new Forms incorporated by reference.

(b) On a continuing basis: The only continuing cost will be the price associated with printing any copies of the SBE Forms that are necessary.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Funds from the State Board of Elections' administrative budget will be used in the implementation and enforcement of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: Implementation of this administrative regulation can be achieved without an increase in fees or funding by the General Assembly.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees are associated with this administrative regulation.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering is not used in this administrative regulation, as a desired result of the promulgation of this administrative

regulation is uniform procedures for the approval and certification of e-poll books used in the Commonwealth.

FISCAL NOTE

31 KAR 2:030E

Contact Person: Taylor Brown, phone: 502-782-9499, email: TaylorA.Brown@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The State Board of Elections will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 117.379(2)(c) requires and authorizes the actions taken by this administrative regulation.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? It is not expected or intended that this administrative regulation will generate any revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for

subsequent years? It is not expected or intended that this administrative regulation will generate any revenue.

(c) How much will it cost to administer this program for the first year? The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

(d) How much will it cost to administer this program for subsequent years? The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): It is not expected or intended that this administrative regulation will generate any revenue.

Expenditures (+/-): The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Other Explanation: N/A

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? The State Board of Elections expects that this administrative regulation will not generate any specific cost savings for the regulated entities.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? The State Board of Elections expects that this administrative regulation will not generate any specific cost savings for the regulated entities.

(c) How much will it cost the regulated entities for the first year? The State Board of Elections estimates that the implementation of this administrative regulation will result in e-poll book vendors incurring nominal costs in-line with the cost of certification of their products in other jurisdictions.

(d) How much will it cost the regulated entities for subsequent years? The State Board of Elections estimates that the implementation of this administrative regulation will result in e-poll book vendors incurring nominal costs in-line with the cost of certification of their products in other jurisdictions.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings(+/-): It is not expected that this administrative regulation will result in any cost savings.

Expenditures (+/-): The State Board of Elections expects that this administrative regulation amendment will cost no more to administer than is currently expended.

Other Explanation: N/A

(5) Explain whether this administrative regulation will have a major economic impact, as defined below. *"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)].* The State Board of Elections does not expect that this administrative regulation will result in a major economic impact as it is not expected to have an overall negative or adverse economic impact of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

"Certification Procedures For E-Poll Book Products," Form SBE 2030, 09/2022, is the multiple-page booklet produced by the State Board of Elections that outlines the procedures by which e-poll book vendors must follow in order to have their e-poll book product certified for sale and use in the Commonwealth.

CHAPTER 172

(HB 618)

AN ACT relating to elections.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

→Section 1. KRS 117.001 is amended to read as follows:

As used in this chapter, unless the context otherwise requires:

- (1) "Audit log" means a detailed record of all actions and events that have occurred on the voting system, including:
 - (a) Log-in attempts with username and time stamp;
 - (b) Election definition and setup;
 - (c) Ballot preparation and results processing;
 - (d) Diagnostics of any type; and
 - (e) Error and warning messages and operator response;
- (2) "Automatic tabulating equipment" means apparatus necessary to automatically examine and count votes as designated on ballots and data processing machines which can be used for counting ballots and tabulating results;
- (3) "Ballot" or "official ballot" means the official presentation of offices and candidates to be voted for, including write-in candidates, and all public questions submitted for determination, and shall include a voting machine ballot, a paper ballot, an absentee ballot, a federal provisional ballot, a federal provisional absentee ballot, or a supplemental paper ballot which has been authorized for the use of voters in any primary, regular election, or special election by the Secretary of State or the county clerk;
- (4) "Ballot box" means any box, bag, or other container that can be locked, sealed, or otherwise rendered tamper-resistant, for receiving ballots;
- (5) "Ballot marking device" means any approved device for marking a ballot which will enable the ballot to be tabulated manually or by means of automatic tabulating equipment;
- (6) "Election" or "elections" means any primary, regular election, or special election;
- (7) ***"E-poll book" means an electronic device capable of holding a file of voter data and related information for use in identifying registered voters prior to a voter's receiving or casting a ballot, and allowing a voter to electronically sign in on an electronic registered voter roster in lieu of signing a paper registered voter roster;***
- (8) "Federal provisional voter" means a person:
 - (a) Who does not appear to be registered to vote;
 - (b) Whose name does not appear on the precinct roster;
 - (c) Who has not provided proof of identification to the precinct election officer before voting in a federal election; and
 - (d) Who elects to proceed with voting a federal provisional ballot under KRS 117.229;
- ~~(9)~~~~(8)~~ "Federal provisional ballot" or "federal provisional absentee ballot" means ballots which have been authorized by the Secretary of State or the county clerk to be used by federal provisional voters in any federal primary or election;
- ~~(10)~~~~(9)~~ "Inner envelope" or "secrecy envelope" means the envelope provided to the voter with a ballot into which the voter shall place his or her voted ballot;
- ~~(11)~~~~(10)~~ "Political group" has the same meaning as in KRS 118.015;
- ~~(12)~~~~(11)~~ "Political organization" has the same meaning as in KRS 118.015;

(13){(12)} "Precinct ballot counter" means an automatic tabulating device used at the precinct to tabulate and process ballots;

(14){(13)} "Proof of identification" means a document that was issued by:

- (a) The United States or the Commonwealth of Kentucky, and the document contains:
 - 1. The name of the individual to whom the document was issued; and
 - 2. A photograph of the individual to whom the document was issued;
- (b) The United States Department of Defense, a branch of the uniformed services, the Merchant Marine, or the Kentucky National Guard, and the document contains:
 - 1. The name of the individual to whom the document was issued; and
 - 2. A photograph of the individual to whom the document was issued;
- (c) A public or private college, university, or postgraduate technical or professional school located within the United States, and the document contains:
 - 1. The name of the individual to whom the document was issued; and
 - 2. A photograph of the individual to whom the document was issued; or
- (d) Any city government, county government, urban-county government, charter county government, consolidated local government, or unified local government, which is located within this state, and the document contains:
 - 1. The name of the individual to whom the document was issued; and
 - 2. A photograph of the individual to whom the document was issued;

(15){(14)} "Risk-limiting audit" means an audit protocol that makes use of statistical principles and methods and is designed to limit to acceptable levels the risk of certifying a preliminary election outcome that constitutes an incorrect outcome;

(16){(15)} "Voting booth" or "ballot completion area" means an area in which a voter casts his or her vote or completes his or her ballot which is designed to ensure the secrecy of the vote;

(17){(16)} "Vote center" means a consolidated precinct of the county;

(18){(17)} "Voting equipment" means any physical component of a voting system and includes voting machines where voting machines are in operation;

(19){(18)} "Voting machine" or "machine":

(a) Means a part of a voting system that consists of:

1.{(a)} A direct recording electronic voting machine that:

- a.{1-} Records votes by means of a ballot display provided with mechanical or electro-operated components that may be actuated by the voter;
- b.{2-} Processes the data by means of a computer program;
- c.{3-} Records voting data and ballot images in internal and external memory components; and
- d.{4-} Produces a tabulation of the voting data stored in a removable memory component and on a printed copy; or

2.{(b)} One (1) or more electronic devices that operate independently or as a combination of a ballot marking device and an electronic or automatic vote tabulation device; **and**

(b) **Does not include an e-poll book;**

(20){(19)} "Voting system">{-means}:

(a) **Means** the total combination of physical, mechanical, electromechanical, or electronic equipment, including the software, hardware, firmware, and documentation required to program, control, and support that equipment, that is used to:

- 1. Define ballots;

2. Cast and count votes;
 3. Report or display election results; and
 4. Maintain and produce any audit trail information; ~~and~~
- (b) *Includes* the practices and associated documentation used to:
1. Identify system components and versions of those components;
 2. Test the system during its development and maintenance;
 3. Maintain records of system errors and defects;
 4. Determine specific system changes to be made to a system after the initial qualification of the system; ~~and~~
 5. Make available any materials to the voter, such as notices, instructions, forms, or paper ballots; and
- (c) *Does not include an e-poll book; and*
- (21)~~(20)~~ "Voter-verified paper audit trail" means a contemporaneous paper record of a ballot printed for the voter to confirm his or her votes before the voter casts his or her ballot that:
- (a) Allows the voter to verify the voter's ballot choices before the casting of the voter's ballot;
 - (b) Is not retained by the voter;
 - (c) Does not contain individual voter information;
 - (d) Is produced on paper that is sturdy, clean, and resistant to degradation; and
 - (e) Is readable in a manner that makes the voter's ballot choices obvious to the voter or any person without the use of computer or electronic code.

➔Section 2. KRS 117.025 is amended to read as follows:

- (1) The State Board of Elections shall appoint an executive director, who shall be the chief administrative officer for the board. The board shall also appoint an assistant director, who shall be of a different political party than the director. The salaries of the director and the assistant director shall be set by the board.
- (2) The State Board of Elections shall employ, on a bipartisan basis, a staff sufficient to carry out the duties assigned to the board, including legal counsel and a training officer to provide assistance to the county clerks and the county boards of elections in their training of precinct election officers.
- (3) The board shall:
 - (a) Maintain a complete roster of all qualified registered voters within the state by county and precinct, and institute appropriate safeguards to ensure that there is no inappropriate use of the voter registration roster. State and local election officials, including the Secretary of State, employees of the Secretary, and members of the State Board of Elections and their staff, shall only use the voter registration roster for purposes relevant to their prescribed duties of election administration. The Secretary of State, and two (2) employees of the Secretary, who may be designated by the Secretary with explicit written authority and notification to the board, shall have electronic access to the information contained within the voter registration roster, but shall not correct, alter, or delete information from the voter registration roster, unless having obtained prior approval by a majority of the voting members of the board;
 - (b) For each primary, furnish each county clerk with a master list of all registered voters in the county, together with three (3) signature rosters of all registered voters in each precinct of the county according to party affiliation, and two (2) lists of all registered voters in each precinct of the county at least *eighteen (18)* ~~five (5)~~ days prior to each primary;
 - (c) For each regular election, furnish each county clerk with a master list of all registered voters in the county, together with one (1) signature roster of all registered voters in each precinct of the county on which each voter's party affiliation is identified, and two (2) lists of all registered voters in each precinct of the county at least *eighteen (18)* ~~five (5)~~ days prior to each regular election;

ACTS OF THE GENERAL ASSEMBLY

- (d) *Select the required format for any voter registration list provided to a county clerk including those intended for use in an e-poll book product;*
- (e) Maintain all information furnished to the board relating to the inclusion or deletion of names from the rosters for four (4) years;
- (f){(e)} Furnish, at a reasonable price, the state central executive committee of each political party qualifying under KRS 118.015 monthly data of all additions, deletions and changes of registration in each precinct of each county and the state central executive committee shall furnish a county listing to each of the county executive committees of each political party;
- (g){(f)} Purchase, lease or contract for the use of equipment necessary to properly carry out its duties under the provisions of this chapter and KRS Chapters 116 and 118;
- (h){(g)} Secure information from any source which may assist the board in carrying out the purposes of this section;
- (i){(h)} Furnish at a reasonable price any and all precinct lists to duly qualified candidates, political party committees or officials thereof, or any committee that advocates or opposes an amendment or public question. The State Board of Elections may also furnish the precinct lists to other persons at the board's discretion, at a reasonable price to be determined by the board. The board shall not furnish precinct lists to persons who intend to use the lists for commercial use; and
- (j){(i)} Be responsible for oversight of board personnel, including hiring, investigations, disciplinary actions, promotions, and other like actions subject to KRS Chapter 18A.

➔Section 3. KRS 117.379 is amended to read as follows:

- (1) (a) Any person or corporation owning, manufacturing, or selling any voting system *or e-poll book product*, may request the State Board of Elections to examine the voting system *or e-poll book product*. Before requesting an examination or reexamination, any person, persons, or corporation shall pay to the State Treasurer a nonrefundable deposit of five hundred dollars (\$500) and submit a test report from an independent testing authority approved by the State Board of Elections.
 - (b) *If the report concerns a voting system*, the report shall demonstrate that the voting system meets all Election Assistance Commission~~[voting system]~~ standards. Notwithstanding any other provision of law to the contrary, if these *Election Assistance Commission*~~[voting system]~~ standards have been amended less than thirty-six (36) months prior to the request for examination under this subsection, the State Board of Elections may approve and certify a voting system that meets the prior standards after determining:
 - 1.~~{(a)}~~ The effect that such approval would have on the integrity and security of elections; and
 - 2.~~{(b)}~~ The procedure and cost involved to bring the voting system into compliance with the amended standards.
 - (c) The State Board of Elections may, at any time, reexamine any voting system *or e-poll book product* already approved. The State Board of Elections shall approve or disapprove any voting system *or e-poll book product* within sixty (60) days after the date of its initial submission. Any or all costs associated with the voting system *or e-poll book product* being examined or reexamined shall be paid to the State Treasurer by the person or corporation once the approval or disapproval~~[of the voting machine]~~ is complete.
- (2) (a) Upon receipt of a request for examination or reexamination of a voting system *or e-poll book product*, the State Board of Elections shall require that such voting system *or e-poll book product* be examined or reexamined by three (3) examiners. The State Board of Elections shall appoint one (1) examiner who is an expert in computer science,~~[or]~~ voting systems, *or e-poll book products, whichever is applicable*; one (1) person who is knowledgeable in election procedures, election security, and election law in Kentucky; and one (1) person who is a present or former county clerk. The three (3) examiners shall submit one (1) written report on each voting system *or e-poll book product*, examined or reexamined, to the State Board of Elections. The members of the State Board of Elections shall also examine or reexamine the voting system *or e-poll book product*.
 - (b) A voting system shall be approved and certified if the examiners' report states that the voting system meets all the requirements of KRS 117.125 and applicable federal law, and the State Board of Elections finds that the voting system meets all of the requirements of KRS 117.125 and applicable federal law.

- (c) *Beginning September 1, 2022, an e-poll book product shall be approved and certified if the examiners' report and the State Board of Elections find that the e-poll book product meets the certification requirements promulgated by the State Board of Elections pursuant to KRS Chapter 13A and applicable federal law.*
- (d) *Each report and letter of approval pertaining to a voting system or an e-poll book product*~~[The report and a letter of approval]~~ *shall be filed in the office of the State Board of Elections.*
- (3) Any voting system *or e-poll book product* not approved by the State Board of Elections shall not be used at any primary, *regular election*, or *special election*.
- (4) When a voting system *or e-poll book product* has been approved, any improvement or changes in the voting system *or e-poll book product* shall render necessary the examination or approval of such voting system or improvement.
- (5) Neither the members of the State Board of Elections, nor any examiner appointed by the State Board of Elections, nor any member of a county board of elections shall have any pecuniary interest in any voting system *or e-poll book product*.
- (6) Each examiner appointed by the State Board of Elections shall receive fair compensation to be established by the State Board of Elections.
- (7) *An e-poll book product approved under this section shall not be used in any primary, regular election, or special election held before May 11, 2023.*

➔Section 4. KRS 117.115 is amended to read as follows:

The legislative body of any county, urban-county government, charter county, consolidated local government, or unified local government may select, in its discretion, any type and make of voting system *or e-poll book product* that complies with the specifications and requirements of this chapter. The legislative body may employ engineers and other skilled persons to advise and aid in the selection of voting systems *or e-poll book products* and in determining compliance with the specifications and requirements of this chapter.

Signed by Governor April 8, 2022.



CERTIFICATION PROCEDURES FOR E-POLL BOOK PRODUCTS

Kentucky State Board of Elections



SEPTEMBER 1, 2022



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Terms and Definitions:

- 1) **E-poll Book Product** – KY statutory definition, synonymous with Electronic Poll Book System defined below.
- 2) **Electronic Poll Book System (EPBS)** – sum total of all devices/software/services composing entire system.
- 3) **Electronic Poll Book (EPB)** – endpoint device.
- 4) **Electronic Poll Book Central Server (EPBCS)** – Central repository/DB/administrative.
- 5) **Kentucky State Board of Election (SBE)**
- 6) **Technical Data Package (TDP)** – Vendor supplied documentation.
- 7) **Voter Registration System (VRS)** – Kentucky’s voter registration system and database.
- 8) **Voter’s Unique Identifier (VUID)**
- 9) **Precinct** – a single area within a county that will cast ballots at one location on Election Day.
- 10) **Consolidated Location** – a combination of two (2) or more precincts put together with the intent of sharing Election Equipment and Election Officers on Election Day. ONLY voters who reside in the combination of these specific precincts may cast a ballot in this polling location.
- 11) **Vote Center** – a location where any voter in the entire county can vote on Election Day.



In accordance with KRS 117.379, the State Board of Elections shall prescribe specific standards and requirements for the certification of an electronic device capable of holding a file of voter data and related information for use in identifying registered voters prior to a voter's receiving or casting a ballot and allowing a voter to electronically sign in using an electronic registered voter roster in lieu of signing a paper registered voter roster. The process and standards for the certification of these devices is outlined below.

1. Application Process

A vendor seeking certification of an e-poll book product in Kentucky must apply for Certification with the State Board of Elections before the date of the Functional Examination can be set by the State Board of Elections. That application must include:

1. A completed Application for Certification
2. A Technical Data Package, including the following documentation:
 - a. User Operating, Support, and Maintenance Manuals
 - b. Training Materials and Instruction Guides
 - c. Recommended Use Procedures
 - d. Software License Agreement
 - e. Software System Design
 - f. Warranty Information
 - g. Recommended Security Practices
 - h. Internal Test Reports and Test Data
 - i. A list of all commercial off-the-shelf software, freeware, open-source software and necessary drivers, operating systems, and any software applications for operations, logging, reporting, printing, etc.
3. A list of certifications and denials of certification for the system in other jurisdictions
4. A list of all known defects and failures experienced with the use of the e-poll book product, including detailed resolutions for those anomalies included
5. A list of all consumables required for the continued operation of the system and the supply chain for those consumables
6. A list of peripherals and/or devices, including those required for usability and accessibility, which can be used within the EPBS.
7. A description of accessibility features and any testing and/or certifications for useability and/or accessibility.
8. Screenshots of all phases of the e-poll book product process that interact with elections workers and/or voters
9. A statement of Corporate Information to include:
 - a. History and description of business:
 - i. Year Established
 - ii. Products and Services
 - iii. Subsidiary and Parent Companies
 - iv. Identity of any individual entity, partnership, or organization owning a controlling interest in E-Poll Book Product provider
 - v. Identity of any investors whose investments have an aggregate value that exceeds more than 5% of the E-Poll Book Product company
 - b. Management and staff organizational chart, number of full-time and part-time employees who will be available for Kentucky Counties
 - c. Locations of all third-party vendors and manufactures of vendor's E-Poll Book Product and its components
 - d. Locations of facilities that will service, monitor, and store data for vendor's E-Poll Book Product
 - e. Overview of cybersecurity processes to preserve the integrity of voter data
 - f. Disclosure of existence and amount of cybersecurity insurance



- g. Disclosure of voter, county, or state data for any purpose other than providing E-poll Book Product services to Kentucky and its counties is prohibited

10. Certification Fee of \$500 which is nonrefundable

All efforts will be taken by the SBE to honor the privacy of any proprietary information contained in the application.

The application may be submitted in a paper or electronic format to the State Board of Election's Office at the following address:

Kentucky State Board of Elections
c/o Karen Sellers, Executive Director
140 Walnut Street
Frankfort, KY 40601
karen.sellers@ky.gov

2. Certification Process

The certification process in Kentucky involves two phases:

- Technical Examination by a NIST-certified testing laboratory
- Functional On-Site Examination by the State Board of Elections

3. Technical Examination

The Technical Examination must be performed by a NIST-certified testing laboratory. The vendor must submit a copy of the Technical Data Package (TDP) to the testing lab, which must assess the system's requirements with the "Kentucky E-Poll Book System Technical Test Matrix" for an E-poll Book Product. The vendor is responsible for any costs and fees associated with conducting these tests.

The vendor will satisfy this portion of the testing by submitting a test report from the testing lab demonstrating that the vendor provided the testing lab with a copy of the TDP and that the e-poll book product satisfies the requirements of the "Kentucky E-Poll Book System Technical Test Matrix".

4. Functional On-Site Examination

The Functional On-Site Examination will be conducted by a three-member examining committee composed of one (1) examiner who is an expert in computer science, voting systems, or e-poll book products, whichever is applicable; one (1) person who is knowledgeable in election procedures, election security, and election law in Kentucky; and one (1) person who is a present or former county clerk assigned by the State Board of Elections Office according to the standards outlined in the "Kentucky Functional On-Site Testing Matrix" for E-poll Books as well as KRS 117.339(2)(a).

The vendor will present the e-poll book product for an in-person examination that will take place at the office of the State Board of Elections. The examiners will conduct functional on-site testing of the e-poll book product to determine whether that system meets the requirements outlined in the Kentucky Functional Requirements (Section 13 of this document) for an E-poll Book Product.

Before the date of the Functional On-Site Examination, the vendor must provide the State Board of Elections with a report from a NIST-certified testing laboratory demonstrating that the e-poll book product meets the requirements of the "Kentucky E-Poll Book System Technical Test Matrix".



After reviewing the Application for Certification, the test report from the NIST-certified testing lab, and the examiner's completed Functional On-Site Testing Matrix (Sections 5 and 6 of this document), the State Board of Elections will issue a decision of on whether or not the e-poll book product will be certified for use in Kentucky elections.

The certification of the system is based on the specific configuration of the system that is presented during the Functional On-Site and Technical Examinations. If there are multiple potential configurations that the vendor wishes to use in Kentucky elections, those must be presented during the examination process. Otherwise, those configurations will not be included in the certification of that system.

As a part of the examination, Kentucky will inspect all system operations and procedures. The EPB system must demonstrate accuracy, reliability, security, usability and accessibility throughout all testing phases.

5. Functional On-site Testing Matrix

Please be prepared to successfully demonstrate:

1. All of the user account types available.
2. All communication ports, types and protocols available.
3. All security features (including but not limited to):
 - a. Software
 - b. Hardware
 - c. Encryption
4. All available ancillary equipment.
5. Loading the roster provided by SBE.
6. Validation of the roster's correct integration into the poll book.
7. All voter check-in functionality:
 - a. Voter look up: all paths
 - b. Voter identification verification: all paths
 - c. Ballot styles
 - d. Voter record: all fields for every voter type
 - i. ACP
 - ii. Permanent assistance
 - iii. Supplemental
 - iv. Provisional
 - v. Et al.
 - e. Voter check-ins:
 - i. Success
 1. Using KY DL/ID
 2. Using voter information look up
 - ii. Failure
 1. Voter not found
 2. Voter in other precinct
 3. Et al.
 - iii. Abandoned
 - iv. Spoiled
8. Multiple poll books in specific deployment configurations:
 - a. With connectivity
 - i. Central server direct syncing
 - ii. Peer-to-peer lateral syncing (in addition to Central server)
 - b. Without connectivity
 - i. Peer-to-peer lateral syncing



9. The election "Open" process, demonstrating features such as:
 - a. Procedures
 - b. Sign-offs
 - c. Reports
 - d. Auditing
10. The election "Close" process, demonstrating features such as:
 - a. Procedures
 - b. Sign-offs
 - c. Reports
 - d. Auditing
11. All summary and reporting features available on individual poll books.
12. All trouble-shooting or help features available on individual poll books.
13. Data/file upload and download features:
 - a. Real-time
 - b. Delta files
 - c. Updates
14. Comprehensive overview of Central Server functionality such as:
 - a. Election Management
 - b. Reporting
 - c. Data Analysis
 - d. Software Updating
 - e. Troubleshooting
 - f. Deployment Tracking
15. Any other pertinent functionality or features not specifically outlined above.

6. Additional Non-functional Requirements

- 1) **Documentation:**
 - i) Documentation shall be plainly worded, complete, and understandable
 - ii) Documentation shall be provided for various situations and roles:
 - (1) System Administration
 - (2) Poll workers
 - (3) Troubleshooting and technical Issues
 - iii) Quick Guides: Pre-Election Checklist, Election Day Checklist, Post-Election Checklist
- 2) **Help Desk Support:**
 - i) Standard contract, product support, and service level agreement (SLA) including:
 - (1) Customer and Technical Support Hours
 - (2) Contact Information
 - (3) Specific escalation timeline and procedures
 - (4) Specific expectations for on-site and technical support for:
 - (a) Elections (Early Voting period up to and including Election Day)
 - (b) Within 60 days before Election Day
 - (5) Specific time limit expectations for support, repair, maintenance, and service requests.
- 3) **Training:**
 - i) Vendor shall provide sufficient training to election officials and poll workers to completely familiarize them with the operations essential for carrying out election activities.
 - ii) Training materials shall be in written or video form and must be in a format suitable for use at a polling place.
- 4) **System Usability:**
 - i) Provide reasonably easy procedures for setting up, using, and shutting down.
 - ii) Be reasonably easy for a precinct election officer to learn, understand, and use.



iii) Be reasonably configurable and customizable by a user with minimal technical knowledge.

5) Accessibility:

i) Allow the user to reasonably adjust settings as needed.

7. Initial Certification Process by January 1, 2023

KRS 117.379(2)(c) requires an e-poll book product that is used in Kentucky elections to be certified by the State Board of Elections. Vendors who wish to offer their e-poll book product to jurisdictions in Kentucky for elections occurring in 2023 will need to have those systems certified before January 1, 2023.

The Application for Certification (along with all accompanying documentation) must be submitted no later than December 1, 2022. The State Board of Elections will schedule the in-person Functional On-Site Examination of the system as soon as the Application is received and will be able to offer examination dates as early as October. The vendor will need to submit their system for testing with the testing lab and provide the report from the testing lab to the State Board of Elections before the date of the Functional On-Site Examination. The in-person Functional On-Site Examination will need to occur before December 15, 2022, for the system to receive a certification by January 1, 2023.

Once the examination has taken place, the State Board of Elections will have 30 (thirty) days to make a determination on certification. However, all applications submitted by December 1, 2022, will have a certification decision issued by January 1, 2023. Any vendor seeking certification after January 1, 2023 would need to file prior to January 1 of the year they intend to apply for certification.

8. Modification Process

Any modifications to a Kentucky-certified e-poll book product must be submitted to the State Board of Elections for administrative review. The request must be submitted in writing to the State Board of Elections and must contain sufficient information to identify the changes to the system's most recently certified version. The request must also contain a statement from a NIST-certified testing laboratory approving the proposed modifications or stating that the proposed modifications do not warrant examination by the testing lab.

Upon receiving the request for review of a modification, the State Board of Elections has discretion to review the modification through this administrative process or determine if a formal certification process is required for the approval of the modification.

If the request is reviewed through the administrative review process, the employees of the State Board of Elections will determine if the requested modification requires an in-person examination or if the change is de minimis and does not require an in-person examination of the modification. At the completion of this review, the State Board of Elections will notify the vendor in writing if the modification is approved or denied.

9. Decertification Process

The State Board of Elections reserves the right to decertify any e-poll book product at any point that the agency determines that the product has fallen below the minimum standards required for certification or otherwise fails to meet the current security needs of Kentucky election officials. Upon such a determination, the State Board will issue to the vendor findings identifying issues supporting the decertification decision. If such action is taken and a vendor that has had a product decertified wishes to sell and operate that product in Kentucky again, the vendor may go through a recertification process if all identified issues have been resolved with the product.



10. Recertification Process

To seek recertification of a previously certified e-poll book product, the vendor must submit a new Application for Certification (including all required documents) by October 1st of the year preceding the year in which the product will be used. The vendor will be required to complete the full certification process, including the Technical Examination and Functional On-Site Examination phases.

The State Board of Elections will issue a decision on recertification within 30 (thirty) days of the receipt of the Application for Certification. The State Board of Elections may choose to grant the certification, deny the certification, or require additional in-person examination of the system before recertification may be granted.

11. Notice of Vendor Agreement of Stipulations with the Board of Elections

Upon certification of E-poll Book Product, the State Board of Elections shall request the following specific agreements from a certified vendor:

1. Any data file or format that the vendor would need in order to provide services to their client counties must be approved and agreed upon by State Board of Elections no later than 60 (sixty) days before a Primary, General, or Special election. This data will be provided to vendors in a timely manner to provide their services.
2. The State Board of Elections, in its capacity to perform audits prior to releasing voter credit and turnout reports, shall request information:
 - a. To identify that all e-poll products data has been accounted for by the vendor.
 - b. To provide said voter credit information to Kentucky voters
3. The State Board of Elections will be the sole authority to give Counties the permission to erase data files from their E-Poll Book Products after any election.

12. Modifications to E-poll Book Product Standards

Upon completion of the initial round of certifications, the State Board of Elections may make modifications to the Technical and Functional On-Site Matrices for future e-poll book product certifications. Any modifications made to the current process will be in place by **July 31, 2023**, to provide vendors adequate time to ensure compliance with the revised standards.

13. Functional Requirements

1. Terms and Definitions:

- 1.1. **E-poll Book Product** – KY statutory definition, synonymous with Electronic Poll Book System defined below.
- 1.2. **Electronic Poll Book System (EPBS)** – sum total of all devices/software/services composing entire system.
- 1.3. **Electronic Poll Book (EPB)** – endpoint device.
- 1.4. **Electronic Poll Book Central Server (EPBCS)** – Central repository/DB/administrative.
- 1.5. **Kentucky State Board of Election (SBE)**
- 1.6. **Technical Data Package (TDP)** – Vendor supplied documentation
- 1.7. **Voter Registration System (VRS)** – Kentucky's voter registration system and database.
- 1.8. **Voter's Unique Identifier (VUID)**
- 1.9. **Precinct** – a single area within a county that will cast ballots at one location on Election Day.
- 1.10. **Consolidated Location** – a combination of two (2) or more precincts put together with the intent of sharing Election Equipment and Election Officers on Election Day. ONLY voters who reside in the combination of these specific precincts will cast a ballot in this polling location.



1.11. **Vote Center** – a location where any voter in the entire county can vote on Election Day.

2. Electronic Poll Book System (EPBS) Shall:

- 2.1. Track and persist every action performed on an Electronic Pollbook Central Server.
 - 2.1.1. System
 - 2.1.2. User
- 2.2. Provide industry standard secure communications within the provided Electronic Pollbook System:
 - 2.2.1. Peer-to-peer real-time -and/or-
 - 2.2.2. Central server
- 2.3. Provide industry standard secure communications with KY Voter Registration System:
 - 2.3.1. Check-ins:
 - 2.3.1.1. Real-time (Preferred) -or-
 - 2.3.1.2. Periodic delta files -or-
 - 2.3.1.3. Daily delta files
- 2.4. Provide automated and user initiated:
 - 2.4.1. Data summaries
 - 2.4.2. Reports
 - 2.4.3. Backups
- 2.5. Provide countywide running totals and end-of-day summary information (Totals) for:
 - 2.5.1. Check-ins
 - 2.5.2. In-person Excused Absentee
 - 2.5.3. In-person No Excuse Absentee
 - 2.5.4. Election day
 - 2.5.5. Ballot styles
 - 2.5.6. Address Confidentiality Program (ACP)
 - 2.5.7. Inactive Voters
 - 2.5.8. Already voted:
 - 2.5.8.1. Mail-in Absentees
 - 2.5.8.2. In-person Excused Absentees
 - 2.5.8.3. In-person No-Excuse Absentees
 - 2.5.8.4. Election day voters
 - 2.5.9. Out-of-precinct voters
 - 2.5.10. Out-of-county voters
 - 2.5.11. Military absentees
 - 2.5.12. Check-in cancellations
 - 2.5.13. Spoiled ballots
 - 2.5.14. Provisional ballots
 - 2.5.15. Supplemental ballots
 - 2.5.16. Abandoned check-ins
 - 2.5.17. Look-ups
- 2.6. Provide specialized instructions and/or screens for all:
 - 2.6.1. System errors
 - 2.6.2. User errors
- 2.7. Transmit accurate voter check-in summary information (Totals) to SBE:
 - 2.7.1. End of day
 - 2.7.2. At end of election (after election close)
- 2.8. Provide ability to add or remove new EPB units without disruption of service during an election.
- 2.9. Provide central administration functionality (including but not limited to):
 - 2.9.1. Asset tracking
 - 2.9.2. Reporting



- 2.9.3. Troubleshooting
- 2.9.4. Downloading
- 2.9.5. Uploading
- 2.9.6. Software updating
- 2.10. Provide the ability to accommodate partisan elections by using only one roster and check-in process by party
- 2.11. Provide the ability to accommodate all of the different types of polling locations used in Kentucky:
 - 2.11.1. Precinct
 - 2.11.2. Consolidated Precinct
 - 2.11.3. Vote Center
- 2.12. Provide for any combination of election types held concurrently with another election type
- 2.13. Messaging and instruction text changes without requiring a software update (Optional but preferred)
- 2.14. Reporting:
 - 2.14.1. EPBS and/or EPB shall produce "Election Set-up Success" report
 - 2.14.2. EPBS and/or EPB shall produce "Audit log of all system activity" report
 - 2.14.3. EPBS and/or EPB shall produce "Election Close Success" report
 - 2.14.4. EPBS and/or EPB shall provide on-demand summary information (see 13.3.12)
 - 2.14.5. EPBS and/or EPB shall provide any other reports required by Kentucky statute

3. Electronic Poll Book (EPB) shall:

- 3.1. Track and persist every action performed on an EPB.
 - 3.1.1. System
 - 3.1.2. User
 - 3.1.3. Voter
- 3.2. Track and persist all errors and exceptions.
 - 3.2.1. System
 - 3.2.2. User
 - 3.2.3. Voter
- 3.3. Re-synchronize after any interruption of network connectivity:
 - 3.3.1. Peer-to-peer -and/or-
 - 3.3.2. Central server
- 3.4. Provide automated and user initiated:
 - 3.4.1. Data summaries
 - 3.4.2. Reports
 - 3.4.3. Backups
- 3.5. Provide role-based user accounts based on least privilege access principles.
- 3.6. Permit a voter to check-in and sign the roster with or without network connectivity.
- 3.7. Provide check-in information to all local EPBs via an orthogonal/lateral secure communications channel to protect against local multiple-voting scenarios.
- 3.8. Provide check-in information to all EPBs countywide via the EPB Central Server secure communications to protect against countywide multiple-voting scenarios.
- 3.9. Provide for the capture and persistence of individual voter signatures.
- 3.10. Clearly display election specific information (shall include but not be limited to):
 - 3.10.1. Current election
 - 3.10.2. Date/time
 - 3.10.3. Current database
 - 3.10.4. Device ID
 - 3.10.5. Current user account
- 3.11. Provide specialized instructions and/or screens depending upon the voter's status.
 - 3.11.1. In-person Excused Absentee
 - 3.11.2. In-person No-Excuse Absentee
 - 3.11.3. Election day
 - 3.11.4. Address Confidentiality Program (ACP)



- 3.11.5. Inactive Voter
- 3.11.6. Already voted:
 - 3.11.6.1. Mail-in Absentee
 - 3.11.6.2. In-person Excused Absentee
 - 3.11.6.3. In-person No Excuse Absentee
 - 3.11.6.4. Election day
- 3.11.7. Out-of-precinct voter
- 3.11.8. Out-of-county voter
- 3.11.9. Military absentee
- 3.11.10. Cancelled check-in
- 3.11.11. Spoiled ballot
- 3.11.12. Provisional ballot
- 3.11.13. Supplemental ballot
- 3.11.14. Abandoned check-in
- 3.11.15. Look-up
- 3.12. Provide running totals and summary information for:
 - 3.12.1. Check-ins
 - 3.12.2. In-person Excused Absentee
 - 3.12.3. In-person No Excuse Absentee
 - 3.12.4. Election day
 - 3.12.5. Ballot styles
 - 3.12.6. Address Confidentiality Program (ACP)
 - 3.12.7. Inactive Voters
 - 3.12.8. Already voted:
 - 3.12.8.1. In-person Excused Absentees
 - 3.12.8.2. In-person No-Excuse Absentees
 - 3.12.8.3. Election day voters
 - 3.12.9. Out-of-precinct voters
 - 3.12.10. Out-of-county voters
 - 3.12.11. Military absentees
 - 3.12.12. Check-in cancellations
 - 3.12.13. Spoiled ballots
 - 3.12.14. Provisional ballots
 - 3.12.15. Supplemental ballots
 - 3.12.16. Abandoned check-ins
 - 3.12.17. Look-ups
- 3.13. Provide Status and Alerts:
 - 3.13.1. Connectivity:
 - 3.13.1.1. Network
 - 3.13.1.2. Other poll books
 - 3.13.1.3. Central server
 - 3.13.2. Failure in synchronization.
 - 3.13.3. Battery status
 - 3.13.4. Peripheral status
- 3.14. Provide Functional Status and Alerts.
 - 3.14.1. Success/Failure of any system function or process.
 - 3.14.2. Success/Failure of user tasks, such as:
 - 3.14.2.1. Setup
 - 3.14.2.2. Check-in
 - 3.14.2.3. Upload/download tasks
 - 3.14.2.4. Deletion



- 3.14.2.5. Close-out
- 3.15. Find eligible voters from the correct KY roster using:
 - 3.15.1. Kentucky DL/ID barcode
 - 3.15.2. Voter lookup with search filter capabilities (shall include but not be limited to):
 - 3.15.2.1. Last name
 - 3.15.2.2. First name
 - 3.15.2.3. DOB
 - 3.15.2.4. Address
 - 3.15.2.5. Voter ID
- 3.16. Persist proof of identity:
 - 3.16.1. Type of ID accepted: (Note: Bolded acronyms serve as types)
 - 3.16.1.1. Document containing name and photo issued by:
 - 3.16.1.1.1. United States of America (**USA**)
 - 3.16.1.1.2. Commonwealth of Kentucky (**KY**):
 - 3.16.1.1.2.1. KY Driver's License
 - 3.16.1.1.2.2. KY Identification Card
 - 3.16.1.1.3. Military (**MIL**):
 - 3.16.1.1.3.1. United States Dept. of Defense
 - 3.16.1.1.3.2. Branch of the Uniformed Services
 - 3.16.1.1.3.3. Merchant Marines
 - 3.16.1.1.3.4. Kentucky National Guard
 - 3.16.1.1.4. Public or Private (**SCHOOL**):
 - 3.16.1.1.4.1. College
 - 3.16.1.1.4.2. University
 - 3.16.1.1.4.3. Post Graduate Technical School located in the United States
 - 3.16.1.1.4.4. Post Graduate Professional School located in the United States
 - 3.16.1.1.5. Any of the following governments (**GOVT**):
 - 3.16.1.1.5.1. City Government
 - 3.16.1.1.5.2. County Government
 - 3.16.1.1.5.3. Urban County Government
 - 3.16.1.1.5.4. Charter County Government
 - 3.16.1.1.5.5. Consolidated Local Government
 - 3.16.1.1.5.6. Local Government located in Kentucky
 - 3.16.1.2. Voter must sign SBE 71 and present:
 - 3.16.1.2.1. Social Security Card (**SS**)
 - 3.16.1.2.2. SBE Approved County ID Card (**SBE**)
 - 3.16.1.2.3. Any ID card displaying their Name and Photo (**ID**)
 - 3.16.1.2.4. Any of the following Benefit Cards (**AID**):
 - 3.16.1.2.4.1. Food Stamp Identification Card
 - 3.16.1.2.4.2. Electronic Benefit Transfer Card
 - 3.16.1.2.4.3. Supplemental Nutritional Assistance Card issued by KY displaying their name
 - 3.16.1.2.5. Credit/Debit Card displaying their name (**CC**)
 - 3.16.1.3. Election officer must complete SBE 72 form (**KNOWN**)
 - 3.16.1.3.1. If the voter is personally known to the election officer
- 3.17. Present voter information for verification (shall include but not be limited to):
 - 3.17.1. Name
 - 3.17.2. Address
 - 3.17.3. Party
 - 3.17.4. DOB
- 3.18. Present correct ballot style:
 - 3.18.1. Ballot ID -or-



- 3.18.2. Ballot barcode printout -or-
- 3.18.3. Physical ballot
- 3.19. Capture voter signature:
 - 3.19.1. Digital signature -or-
 - 3.19.2. Mark
- 3.20. Capture Poll-worker initials
- 3.21. Completes check-in and persists an individual voter's session data and metadata (shall include but not be limited to):
 - 3.21.1. Date/time of check-in
 - 3.21.2. Suggested ballot style
 - 3.21.3. Device ID
 - 3.21.4. Current DB
 - 3.21.5. Current election
 - 3.21.6. Poll-worker ID
 - 3.21.7. Poll-worker initials
 - 3.21.8. Voter signature
 - 3.21.9. Proof of identity (Type of ID accepted)
 - 3.21.10. Type of vote:
 - 3.21.10.1. In-person Excused Absentees
 - 3.21.10.2. In-person No-Excuse Absentee
 - 3.21.10.3. Election day voter
 - 3.21.10.4. Supplemental
 - 3.21.10.5. Provisional
 - 3.21.11. Physical location
 - 3.21.12. Connectivity status at point of check-in
- 3.22. Opening an election. Provide for the user to verify that the EPB has:
 - 3.22.1. An authenticated user with the proper access rights.
 - 3.22.2. Been set up for the proper election.
 - 3.22.3. Been set up for the proper polling location type.
 - 3.22.4. Been set up for the proper precinct.
 - 3.22.5. Been set to the proper physical location.
 - 3.22.6. Has the correct roster file.
 - 3.22.7. Has the proper connectivity needed for a specific polling location type:
 - 3.22.7.1. Network
 - 3.22.7.2. Cell
 - 3.22.7.3. Bluetooth
- 3.23. Closing an election. Provide for the user to verify that:
 - 3.23.1. All check-in data has been successfully persisted locally.
 - 3.23.2. All check-in data from sibling pollbooks (if used) has been successfully persisted.
 - 3.23.3. All other required steps, processes, uploads, approvals have been successfully completed.



E-POLL BOOK SYSTEM TECHNICAL TEST MATRIX

Kentucky State Board of Elections



SEPTEMBER 1, 2022



Technical Test Matrix

1. Terms and definitions:

- 1.1. **E-poll Book Product** – KY statutory definition, synonymous with Electronic Poll Book System defined below.
- 1.2. **Electronic Poll Book System (EPBS)** – sum total of all devices/software/services composing entire system.
- 1.3. **Electronic Poll Book (EPB)** – endpoint device.
- 1.4. **Electronic Poll Book Central Server (EPBCS)** – Central repository/DB/administrative.
- 1.5. **Kentucky State Board of Election (SBE)**
- 1.6. **Technical Data Package (TDP)** – Vendor supplied documentation
- 1.7. **Voter Registration System (VRS)** – Kentucky's voter registration system and database.
- 1.8. **Voter's Unique Identifier (VUID)**
- 1.9. **Precinct** – a single area within a county that will cast ballots at one location on Election Day.
- 1.10. **Consolidated Location** – a combination of two (2) or more precincts put together with the intent of sharing Election Equipment and Election Officers on Election Day. ONLY voters who reside in the combination of these specific precincts will cast a ballot in this polling location.
- 1.11. **Vote Center** – a location where any voter in the entire county can vote on Election Day.

2. Application Matrix (Vendor):

#	Ref	Description	Met	Not Met	Comments
1	1.2	<p>Vendor has provided test lab with a full copy of Technical Data Package, including:</p> <ul style="list-style-type: none">a. User Operating, Support, and Maintenance Manuals.b. Training Manuals and Instruction Guides.c. Recommended Use Procedures.d. Software License Agreement.e. Software System Design.f. Warranty Information.g. Recommended Security Practices.h. Provide any internal test reports and test data.i. Provide a list of all commercial off-the-shelf software, freeware, open-source software and necessary drivers, operating systems, and any software applications for operations, logging, reporting, printing, etc.			



KENTUCKY E-POLL BOOK TECHNICAL TEST MATRIX

2	1.4	Vendor has provided a list of all known defects and failures experienced with the use of the EPBS, including detailed resolutions for those anomalies.				
3		Vendor has provided a list of all usability test results: (i) that are conducted by the manufacturer of the electronic poll book on an independent testing facility using individuals who are representative of the general public; (ii) that include the setting up, using, and shutting down of the electronic poll book; and (iii) that report their results using industry standard reporting formats.				
3	1.6	Vendor has provided a list of peripherals and/or devices, including those required for usability and accessibility, which can be used within the EPBS.				
4	1.7	Vendor has provided a description of accessibility features, if any, including any accessibility standards the EPBS meets.				
5	1.8	Vendor has provided screenshots of all phases of the e-poll book product process that interact with elections workers and/or voters that is not included in product documentation.				
6		Vendor has provided a list of any other components recommended by the manufacturer for use within the EPBS.				
7	3	Vendor has provided a complete and self-contained independent test environment for use in end-to-end testing.				

**3. Technical Matrix (Testing Lab):**

#	Ref	Description	Met	Not Met	Comments
8	3	Testing Lab shall install and construct the Vendor's EPBS using the documentation, software and hardware supplied by the Vendor.			
9	3 13.2.12	Testing Lab shall test every operational, election worker, and voter activity/procedure as outlined in the manuals. The lab has flexibility in choosing order of testing to simulate the use of the EPBS in a special, primary and general election, including special and another election concurrently. Testing shall consist of the following at minimum: 1. Opening the election. 2. In-person Excused Absentees 3. In-person No Excuse Absentee 4. Election day Voting 5. Supplemental Voting 6. Provisional Voting 7. Closing the election 8. Generating required reports			
10	13.2.1 13.3.1	Testing Lab shall confirm that every activity of the EPBS and an EPB was tracked and persisted for auditability.			
11	13.2.2	Testing Lab shall confirm that all communications between EPBS components are secure and meet security best practices.			
12	13.2.3	Testing Lab shall confirm that check-in communications between the EPBS and VRS is secure noting type of check-ins, real-time, periodic and/or daily delta files.			
13	13.2.4	Testing Lab shall confirm that automated and user-initiated data summaries, reports and backups occurred.			
14	13.2.5	Testing Lab shall confirm the EPBS provided countywide and statewide running totals and summary information.			



KENTUCKY E-POLL BOOK TECHNICAL TEST MATRIX

15	13.2.6	Testing Lab shall confirm the specialized instructions and/or screen were provided for all system and user errors.			
16	13.2.7	Testing Lab shall confirm that accurate voter check-in summary information (Totals) is transmitted at the end of the day and at the end of the election (after election close).			
17	13.2.8	Testing Lab shall confirm that a new EPB can be added and that an EPB in the election can be removed without disruption of service during an election day.			
18	13.2.9	Testing Lab shall confirm that the EPBS provides central administration functionality for the following activities: 1. Asset tracking 2. Reporting 3. Troubleshooting 4. Downloading 5. Uploading 6. Software updating			
19	13.2.10	Testing Lab shall confirm the EPBS has the ability to accommodate partisan elections by using only one roster and check-in process by party.			
20	13.2.11	Testing Lab shall confirm the EPBS has the ability to accommodate all of the different types of polling locations used in Kentucky: 1. Precinct 2. Consolidated Precinct 3. Vote Center			
21	13.2.12	Testing Lab shall confirm the EPBS has the ability to provide for any combination of election types held concurrently with another election type.			
22	13.2.13	Testing Lab shall confirm if the EPBS allows messaging and instruction text changes without requiring a software update (This functionality is optional but preferred)			



KENTUCKY E-POLL BOOK TECHNICAL TEST MATRIX

23	13.3.2	Testing Lab shall confirm that all EPB errors and exceptions arising from the system, user and/or voter are tracked and persisted.			
24	13.3.3	Testing Lab shall confirm that all EPBs re-synchronize after any interruption of network connectivity.			
25	13.3.4	Testing Lab shall confirm that automated and user-initiated data summaries, reports and backups occurred.			
26	13.3.5	Testing Lab shall confirm that EPB provides for role-based user accounts on least privilege access principles.			
27	13.3.6	Testing Lab shall confirm the EPB permit a voter to check-in and sign the roster with or without network connectivity.			
28	13.3.7	Testing Lab shall confirm the EPB provides check-in information to all local EPBs via an orthogonal/lateral secure communications channel to protect against local multiple-voting scenarios.			
29	13.3.8	Testing Lab shall confirm the EPB provides check-in information to all EPBs countywide via the EPB Central Server secure communications to protect against countywide multiple-voting scenarios.			
30	13.3.9	Testing Lab shall confirm the EPB provides for the capture and persistence of individual voter signatures.			
31	13.3.10	Testing Lab shall confirm the EPBs clearly displays election specific information (shall include but not be limited to): 1. Current election 2. Date/time 3. Current database 4. Device ID 5. Current user account			



32	13.3.11	Testing Lab shall confirm the EPB provides specialized instructions and/or screens depending upon the voter's status. 1. In-person Excused Absentee 2. In-person No Excuse Absentee 3. Election Day 4. Address Confidentially Program (ACP) 5. Inactive Voter 6. Already voted: a. Mail-in Absentee b. In-person Excused Absentee c. In-person No Excuse Absentee d. Election day 7. Out-of-precinct voter 8. Out-of-county voter 9. Military absentee 10. Cancelled check-in 11. Spoiled ballot 12. Provisional ballot 13. Supplemental ballot 14. Abandoned check-in 15. Look up			
33	13.3.12	Testing Lab shall confirm EPB provides running totals and summary information for: 1. Check-ins 2. In-person Excused Absentee 3. In-person No Excuse Absentee 4. Election day 5. Ballot styles 6. Address Confidentially Program (ACP) 7. Inactive Voters 8. Already voted: a. In-person Excused Absentees b. In-person No Excuse Absentees c. Election day voters 9. Out-of-precinct voters 10. Out-of-county voters			

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37	13.3.16	Testing Lab shall confirm EPB captures, persists and transmits type of identification accepted as proof of identity. Types accepted: 1. USA 2. KY 3. MIL 4. SCHOOL 5. GOVT 6. SS 7. SBE 8. ID 9. AID 10. CC 11. KNOWN			
38	13.3.17	Testing Lab shall confirm EPB presents voter information for verification (shall include but not be limited to): 1. Name 2. Address 3. Party 4. DOB			
39	13.3.18	Testing Lab shall confirm EPB presents correct ballot style: 1. Ballot ID -or- 2. Ballot barcode printout -or- 3. Physical ballot			
40	13.3.19	Testing Lab shall confirm EPB captures, persists and transmits voter signature: 1. Digital signature -or- 2. Mark			
41	13.3.20	Testing Lab shall confirm EPB captures, persists and transmits poll-worker initials.			
42	13.3.21	Testing Lab shall confirm EPB completes check-in and persists individual voter's session data and metadata (shall include but not be limited to):			

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4. Reporting Matrix:

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E-POLL BOOK SYSTEM FUNCTIONAL ON-SITE TEST MATRIX

Kentucky State Board of Elections



SEPTEMBER 1, 2022



Functional On-Site Test Matrix

1. Terms and definitions:

- 1.1. **E-poll Book Product** – KY statutory definition, synonymous with Electronic Poll Book System defined below.
- 1.2. **Electronic Poll Book System (EPBS)** – sum total of all devices/software/services composing entire system.
- 1.3. **Electronic Poll Book (EPB)** – endpoint device.
- 1.4. **Electronic Poll Book Central Server (EPBCS)** – Central repository/DB/administrative.
- 1.5. **Kentucky State Board of Election (SBE)**
- 1.6. **Technical Data Package (TDP)** – Vendor supplied documentation
- 1.7. **Voter Registration System (VRS)** – Kentucky's voter registration system and database.
- 1.8. **Voter's Unique Identifier (VUID)**
- 1.9. **Precinct** – a single area within a county that will cast ballots at one location on Election Day.
- 1.10. **Consolidated Location** – a combination of two (2) or more precincts put together with the intent of sharing Election Equipment and Election Officers on Election Day. ONLY voters who reside in the combination of these specific precincts will cast a ballot in this polling location.
- 1.11. **Vote Center** – a location where any voter in the entire county can vote on Election Day.

2. Testing Process

The Matrix is a list of specific functional requirements for any EPBS seeking certification for use in Kentucky. The Matrix is not meant to be followed in strict order. Features can be presented in a different order than listed below, however all of the line items must be verified by the three members of the SBE examining committee.

3. Testing Day Information:

Committee member name:			
Company Tested:			
Date of Testing:	Location of testing:		
Time testing began:	Time testing ended:		
Signature of tester:			

**4. Functional On-Site Matrix:**

#	Ref	Description	Met	Not Met	Comments
1	5.1	Vendor has demonstrated all available user account types.			
2	5.2	Vendor has demonstrated all communication ports, types and protocols.			
3	5.3	Vendor has demonstrated all security features, including but not limited to: 1. Software 2. Hardware 3. Encryption			
4	5.4	Vendor has demonstrated all available ancillary equipment: 1. Peripherals 2. Devices 3. Software			
5	5.5	Vendor has demonstrated the loading of a typical roster file provided by SBE.			
6	5.6	Vendor has demonstrated the correct integration of the imported roster file.			
7	5.7.a	Vendor has demonstrated: All available voter look-up paths			
8	5.7.b	Vendor has demonstrated: All available methods of voter ID verification			
9	5.7.c	Vendor has demonstrated the correct identification and presentation of a voter's individual ballot style.			
10	5.7.d	Vendor has demonstrated all of the fields for every type of Voter Record: 1. ACP 2. Permanent Assistance 3. Supplemental 4. Provisional 5. Any others available			



KENTUCKY E-POLL BOOK FUNCTIONAL ON-SITE TEST MATRIX

11	5.7.e	Vendor has demonstrated Voter Check-in types:	1. Success			
			a. Using KY DL/ID			
			b. Using voter look-up			
			2. Failure			
			a. Voter not found			
			b. Voter in other precinct			
			c. Et al.			
			3. Abandoned			
			4. Spoiled			
			Vendor has demonstrated deployment configurations using multiple poll books: With connectivity:			
12	5.8.a	Vendor has demonstrated deployment configurations using multiple poll books: Without connectivity:	1. Central server direct syncing, and			
			2. Peer-to-peer lateral syncing			
13	5.8.b	Vendor has demonstrated deployment configurations using multiple poll books: Without connectivity:	1. Peer-to-peer lateral syncing			
			2. Any other optional type available			
			Vendor has demonstrated the election "Open" process including any features such as:			
14	5.9	Vendor has demonstrated the election "Open" process including any features such as:	1. Procedures			
			2. Sign-offs			
			3. Reports			
			4. Auditing			
15	5.10	Vendor has demonstrated the election "Close" process including any features such as:	1. Procedures			
			2. Sign-offs			
			3. Reports			
			4. Auditing			



KENTUCKY E-POLL BOOK FUNCTIONAL ON-SITE TEST MATRIX

15	5.11	Vendor has demonstrated all summary and reporting features available on individual poll books.				
16	5.12	Vendor has demonstrated all troubleshooting and help features available on individual poll books.				
17	5.13	Vendor has demonstrated the ability to upload and download: 1. Data and/or files in Real-time 2. Delta files 3. System/software updates				
18	5.14	Vendor has presented a comprehensive overview of the Central Server and/or Administrative Console functionality, such as: 1. Election Management 2. Reporting 3. Data Analysis 4. Software Updating 5. Troubleshooting 6. Equipment Deployment Tracking				
19	5.15	Vendor has demonstrated any other pertinent functionality or features not specifically listed.				
20	NOTE					
21	NOTE					
22	NOTE					
23	NOTE					