HB316: Worst Georgia Legislation Ever?

House Bill HB316 is arguably the worst piece of legislation ever passed by the Georgia General Assembly. This 2019 bill wasted hundreds of millions of state and county taxpayer dollars on an insecure, unverifiable voting system. A true conservative would never vote for such a bill the House or Senate. It was sponsored solely by the leadership team of House Speaker David Ralston. All legislators were warned by many citizen lobbyists about HB316’s fatal flaws:

COST:
1. HB316 required the state to buy $3,000 electric pencils for all voters to use during an election. These Ballot Marking Devices (BMD) were budgeted at the time of the vote to cost taxpayers $150 million.

2. HB316 also obligated county taxpayers to spend an estimated $150 million over 10 years in testing, maintenance, licensing, transportation and storage costs for the nearly 30,000 electric pencils purchased.

3. HB316 prohibited election officials from evaluating Hand Marked Paper Ballot and Ballot on Demand systems that could have saved taxpayers over $50 million initially and over $100 million more during the next 10 years.

4. The legislators agreed to use a 20 year bond to buy BMD touchscreens that have only a 10 year shelf life. Taxpayers will likely still be obligated to pay for them long after they are replaced.

5. The legislators passed HB316 without a legally required fiscal note that provides details of expenditures by the state and funding impacts on counties. A note is required for unfunded county mandates exceeding $5 million total while independent estimates showed ongoing county mandates to be roughly $15 million every year.

VERIFIABILITY:
6. HB316 legalized a new type of BMD system that accumulates votes hidden in bar codes the voter cannot read or verify.

7. HB316 allowed Georgia to purchase a system that is totally unverifiable to the voter because it encrypts votes in QR codes on the paper selection summaries produced by the BMDs.

8. HB316 failed to require manual recounts so Georgia’s new “recount procedures” will rescan the bar code and reprint previous unverifiable results.

SECURITY:
9. Dozens of experts warned the legislators against voting for HB316 because BMDs are unsecure and easily hacked.


11. HB316 did nothing to mitigate Georgia’s high risk centralized ballot building process that is vulnerable to a single point of attack which can distribute malware to counties for an election without detection.
AUDITABILITY:

12. HB316 did not require audits for State Senate, State House, countywide, judicial, Municipal or other non-partisan elections so they will have no procedure to manually count votes to ensure race results are correct.

13. For statewide and federal races, HB316 called for a type of audit procedure (RLA) after its inventor wrote to legislators explaining the procedure cannot be used to meaningfully audit BMDs because it cannot audit what a BMD displayed to the voter.

14. HB316 introduced a new type of fake “scanning ballot” that is actually a small paper summary containing only selected candidates and no referendum language. Voters have no way to remember the language they need to see when verifying their selections before feeding the summary into a scanner.

15. Scientific conclusions presented to the legislators contend that BMD paper selection summaries legalized by HB316 are “unauditable” and “virtually useless for verifying voter intent”