

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 insecure and easily hacked.
10. President Trump's own intelligence analyst and 2020 campaign advisor, Lt. Col. Tony Shafer **lobbied against HB316 at the Capitol**.
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”](#)