



DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA
1500 11th Street, 6th Floor | Sacramento, CA 95814 | Tel (916) 653-7244 | Fax (916) 653-4620 | www.sos.ca.gov

April 14, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09061

TO: All County Clerks/Registrars of Voters

FROM:


Jennie Bretschneider
Assistant Chief Deputy Secretary of State

RE: Emergency Regulations: Post Election Manual Tally Requirements -
Readoption

On April 14, 2009, the Office of Administrative Law (OAL) approved the Secretary of State's readoption of the Post Election Manual Tally Emergency Regulations. Attached is the approval letter from OAL and a copy of the PEMT emergency regulations, which will be in effect until July 14, 2009.

Please note there are a number of modifications to the PEMT emergency regulations as readopted, including:

- Reduction in the initial sample size from ten percent (10%) down to five percent (5%) for large contests and down to two percent (2%) for statewide contests.
- Reduction in the requirement to count additional precincts (escalation), by increasing rate of variances permitted – from ten percent (10%) to half (50%) of the overall margin of victory – before escalation is required.
- Technical and non-substantive modifications to clarify definitions and provisions and to ensure consistent use of terms throughout the regulations.

These modifications do not substantially change the overall structure of the PEMT Emergency Regulations, which continue to require: (i) a manual tally of a percentage of precincts for all contests with an overall margin of victory of less than one half of one percent (0.5%); (ii) equivalent requirements for contests that span multiple jurisdictions; (iii) escalation in blocks of five percent (5%) where significant variances are found; and (iv) completion within the canvass period.

If you have any questions, please feel free to contact me at jbretschneider@sos.ca.gov or (916) 653-7244.

Attachments (1)