

ASSEMBLY, No. 1237

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

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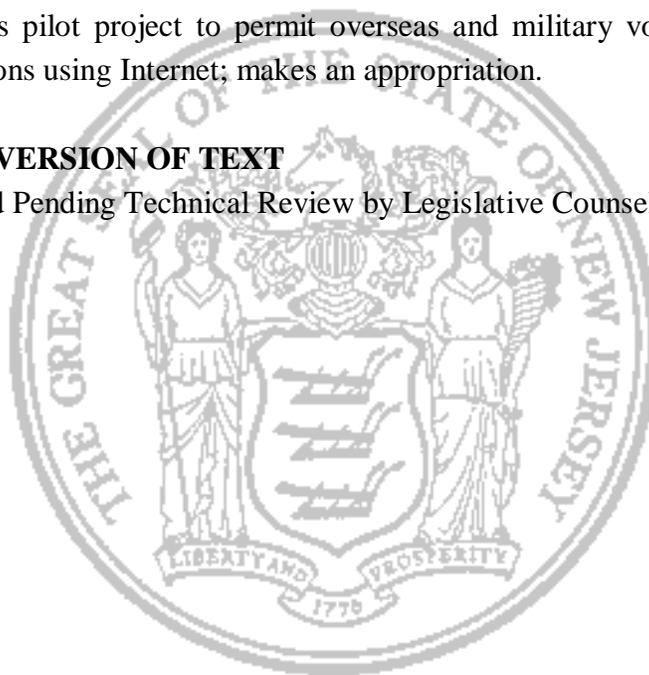
Assemblymen Chivukula and Benson

SYNOPSIS

Establishes pilot project to permit overseas and military voters to vote in certain elections using Internet; makes an appropriation.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 1/31/2012)

1 AN ACT establishing a pilot project to permit overseas and military
2 voters to vote in certain elections using the Internet, and making
3 an appropriation.
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. The Secretary of State shall establish a pilot project to
9 permit overseas voters to vote using the Internet. The pilot project
10 shall be for the primary election and general election occurring in
11 the calendar year in which P.L. , c. (pending before the
12 Legislature as this bill) takes effect. As used in this act, the term
13 “overseas voter” shall have the same meaning as the term is used in
14 subsection d. of section 2 of P.L.1967, c.23 (C.19:59-2) and
15 includes any person in military service who, by reason of active
16 duty or service, is absent on the date of the election from the place
17 of residence in New Jersey where the person is or would be
18 qualified to vote.

19 b. The secretary shall:

20 (1) create an Internet-based voting system for the pilot project
21 that: (a) uses such technology as may be available to ensure the
22 security of the ballot being voted, the privacy of the voter casting
23 the ballot and the integrity of the voting process for the elections at
24 which Internet voting is to be available; and (b) employs to the
25 extent possible any guidelines for an Internet voting pilot project
26 that assists overseas voters that are proposed or promulgated by the
27 United States Election Assistance Commission or any other agency
28 of the federal government;

29 (2) consult with representatives of the clerks of the counties, the
30 superintendents of elections and the county boards of election with
31 the regard to the development and implementation of the pilot
32 project;

33 (3) provide sufficient and accessible notice and information to
34 the public and overseas voters with respect to the pilot project and
35 the requirements for such voters to participate in the elections at
36 which Internet voting is to be available; and

37 (4) promulgate such temporary rules and regulations as the
38 secretary deems necessary to effectuate the purpose of this act.

39 c. The secretary shall submit to the Governor and the
40 Legislature no later than the 120th day following the day of the
41 general election at which the pilot project is operative a written
42 report with recommendations as to whether:

43 (1) Internet voting for overseas voters should not be adopted at
44 present; or

45 (2) the pilot project should be expanded and a further
46 assessment of its feasibility should be conducted; or

1 (3) Internet voting for overseas voters should be adopted
2 permanently by law.

3 d. There shall be appropriated from the General Fund such
4 sums as the Director of the Office of Management and Budget in
5 the Department of the Treasury shall deem as necessary to
6 effectuate the purposes of this act.

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8 2. This act shall take effect on the January 1 next following
9 enactment and shall expire upon the submission of the report to the
10 Governor and the Legislature pursuant to subsection c. of section 1
11 of this act.

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14 STATEMENT

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16 This bill establishes a pilot project to permit overseas voters to
17 vote in certain elections using the Internet. The pilot project would
18 be for the primary election and general election occurring in the
19 calendar year in which the bill takes effect. As used in this act, the
20 term "overseas voter" has the same meaning as the term is used in
21 N.J.S.A..19:59-2 and includes any person in military service who,
22 by reason of active duty or service, is absent on the date of the
23 election from the place of residence in New Jersey where the person
24 is or would be qualified to vote.

25 Specifically, the bill requires the Secretary of State to: (1) create
26 an Internet-based voting system for the pilot project that: (a) uses
27 such technology as may be available to ensure the security of the
28 ballot being voted, the privacy of the voter casting the ballot and the
29 integrity of the voting process for the elections at which Internet
30 voting is to be available; and (b) employs to the extent possible any
31 guidelines for an Internet voting pilot project that assists overseas
32 voters that are proposed or promulgated by the U.S. Election
33 Assistance Commission or any other agency of the federal
34 government; (2) consult with representatives of the clerks of the
35 counties, the superintendents of elections and the county boards of
36 election with the regard to the development and implementation of
37 the pilot project; (3) provide sufficient and accessible notice and
38 information to the public and overseas voters with respect to the
39 pilot project and the requirements for such voters to participate in
40 the elections at which Internet voting is to be available; and (4)
41 promulgate such temporary rules and regulations as the secretary
42 deems necessary to effectuate the purpose of this act.

43 The secretary must submit to the Governor and the Legislature
44 no later than the 120th day following the day of the general election
45 at which the pilot project is operative a written report with
46 recommendations as to whether: (1) Internet voting for overseas
47 voters should not be adopted at present; or (2) the pilot project

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1 should be expanded and a further assessment of its feasibility
2 should be conducted; or (3) Internet voting for overseas voters
3 should be adopted permanently by law.

4 The bill provides that there would be appropriated from the
5 General Fund such sums as the Director of the Office of
6 Management and Budget in the Department of the Treasury deems
7 necessary to effectuate the purposes of this act.