SENATE, No. 2187

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED JUNE 16, 2014

Sponsored by:
Senator DIANE B. ALLEN
District 7 (Burlington)

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

CURRENT VERSION OF TEXT
As introduced.
AN ACT establishing a pilot project to permit certain overseas and military voters to vote in certain elections using the Internet, and making an appropriation.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. The Secretary of State shall establish a pilot project to permit overseas voters to vote using the Internet. The pilot project shall be for the primary election and general election occurring in the calendar year in which P.L. , c. (pending before the Legislature as this bill) takes effect. As used in this act, the term “overseas voter” means any person in military service or a family member of any person in military service who, by reason of the service member’s active duty or service, is absent on the date of an election from the place of residence in New Jersey where the person is or would be qualified to vote, and any citizen of the United States and a family member of such a person residing abroad for military purposes of the United States who (1) immediately prior to departure from the United States was domiciled in New Jersey and (a) was registered to vote, or had all the qualifications to register and vote, in New Jersey; or (b) had all the qualifications to register and vote in New Jersey other than having attained 18 years of age but has since attained that age; or (c) would, but for residence, have the qualifications to register and vote in New Jersey; (2) does not maintain a residence in the United States and is not registered or qualified to vote elsewhere in the United States; and (3) holds a valid passport or card of identity and registration issued under authority of the Secretary of State of the United States.

b. The secretary shall:

1. create an Internet-based voting system for the pilot project that: (a) uses such technology as may be available to ensure the authentication of the voter, the security of the ballot being voted, the privacy of the voter casting the ballot, the ability to audit or verify the voting process by the voter and third party entities, the control of the voting process by the appropriate election officials, the integrity of the voting process for the elections at which Internet voting is to be available and the compatibility of that process with the voting system currently used by an overseas voter; (b) employs to the extent possible any guidelines for an Internet voting pilot project that assists overseas voters that are proposed or promulgated by the United States Election Assistance Commission or any other agency of the federal government; and (c) adopts, where possible, the best practices used in similar projects in other states and countries;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
(2) consult with representatives of the clerks of the counties, the
superintendents of elections and the county boards of election with
regard to the development and implementation of the pilot project;
(3) provide sufficient and accessible notice and information to
the public and overseas voters with respect to the pilot project and
the requirements for such voters to participate in the elections at
which Internet voting is to be available; and
(4) promulgate such temporary rules and regulations as the
secretary deems necessary to effectuate the purpose of this act.
c. The secretary shall submit to the Governor and, pursuant to
section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature no
later than the 120th day following the day of the general election at
which the pilot project is operative a written report with
recommendations as to whether:
(1) Internet voting for overseas voters should not be adopted at
present; or
(2) the pilot project should be expanded and a further
assessment of its feasibility should be conducted; or
(3) Internet voting for overseas voters should be adopted
permanently by law.
d. There shall be appropriated from the General Fund such
sums as the Director of the Office of Management and Budget in
the Department of the Treasury shall deem as necessary to
effectuate the purposes of this act.

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

STATEMENT

This bill establishes a pilot project to permit overseas voters to
vote in certain elections using the Internet. The pilot project would
be for the primary election and general election occurring in the
calendar year in which the bill takes effect. Under the bill, the term
“overseas voter” means any person in military service or a family
member of any person in military service who, by reason of the
member’s active duty or service, is absent on the date of an election
from the place of residence in New Jersey where the person is or
would be qualified to vote, and any citizen of the United States
residing abroad for military purposes of the United States.

Specifically, the bill, requires the Secretary of State to: (1) create
an Internet-based voting system for the pilot project that: (a) uses
such technology as may be available to ensure the authentication of
the voter, the security of the ballot being voted, the privacy of the
voter casting the ballot, the ability to audit or verify the voting
process by the voter and third party entities, the control of the
ing the voting process for the elections at which Internet voting is to be
available and the compatibility of that process with the voting
system currently used by an overseas voter; (b) employs to the
extent possible any guidelines for an Internet voting pilot project
that assists overseas voters that are proposed or promulgated by the
United States Election Assistance Commission or any other agency
of the federal government; and (c) adopts, where possible, the best
practices used in similar projects in other states and countries; (2)
consult with representatives of the clerks of the counties, the
superintendents of elections and the county boards of election with
regard to the development and implementation of the pilot project;
(3) provide sufficient and accessible notice and information to the
public and overseas voters with respect to the pilot project and the
requirements for such voters to participate in the elections at which
Internet voting is to be available; and (4) promulgate such
temporary rules and regulations as the secretary deems necessary to
effectuate the purpose of this bill.

The secretary must submit to the Governor and the Legislature
no later than the 120th day following the day of the general election
at which the pilot project is operative a written report with
recommendations as to whether: (1) Internet voting for overseas
voters should not be adopted at present; or (2) the pilot project
should be expanded and a further assessment of its feasibility
should be conducted; or (3) Internet voting for overseas voters
should be adopted permanently by law.

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