Sponsored by:
Senator JEFF VAN DREW
District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS
Establishes pilot project to permit 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 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” shall have the same meaning as the term is used in
subsection d. of section 2 of P.L 1976, c.23 (C.19:59-2) and
includes any person in military service who, by reason of active
duty or service, is absent on the date of the election from the place
of residence in New Jersey where the person is or would be
qualified to vote.

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;

(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 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” has the same meaning as the term is used in N.J.S.A.19:59-2 and includes any person in military service who, by reason of active duty or service, is absent on the date of the election from the place of residence in New Jersey where the person is or would be qualified to vote.

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 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 U.S. 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.