

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5159

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 18, 2019

The Assembly Appropriations Committee reports favorably and with committee amendments, Assembly Bill No. 5159

This bill permits a county commissioner of registration and county board of elections to adopt the use of electronic poll books, and requires the Secretary of State to adopt and publish electronic poll books standards and regulations governing the certification and use of electronic poll books.

Under the bill, electronic poll book technology is required to meet certain capabilities and standards, including but not limited to, the ability to enable a poll worker to perform by electronic means all of the same functions performed using a paper polling record and signature copy register during the conduct of an election, compatibility with the Statewide voter registration system, a proven ability to successfully meet requirements concerning data encryption, non-interference with and separation from the voting system in use during an election, device and system security, audit log, and data and power backup, and any other capability or standard deemed appropriate by the county commissioner of registration, county board of elections, or Secretary of State.

A county commissioner of registration and county board of elections opting to use electronic poll books are required to furnish at least two certified electronic poll book systems for each polling place. The electronic poll books for each election are required to be prepared by the commissioner of registration no later than the 10th day preceding the election. The commissioner of registration is required to retain the electronic poll books records for any election for a period of not less than six years following that election.

COMMITTEE AMENDMENTS:

The committee amended the bill to require the Secretary of State to:

- (1) review a county's request for approval to use electronic poll books within 10 days of receiving it; and
- (2) issue temporary regulations within 90 days of the bill's effective date, until permanent regulations are promulgated.

FISCAL IMPACT:

This bill is permissive in application. If a county commissioner of registration and county board of elections are approved to use electronic poll books, the bill specifies that at least two electronic poll books are required to be furnished at each polling place in the county. In the past, the OLS has estimated that one electronic poll book can cost between \$1,000 and \$3,000 each. Additional costs would be associated with the maintenance of the electronic poll books and the training of poll workers in the use of electronic poll books.