

ASSEMBLY, No. 1462

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

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District 17 (Middlesex and Somerset)

Co-Sponsored by:

Assemblyman Benson, Assemblywomen Mosquera and Jimenez

SYNOPSIS

Establishes pilot project to permit voters in military service on active duty overseas, and their eligible family members, to vote in certain elections using the Internet; makes appropriation.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

1 **AN ACT** establishing a pilot project to permit a voter in military
2 service on active duty overseas, and the spouse or dependent
3 who is eligible, to vote in certain elections using the Internet, and
4 making an appropriation.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. a. The Secretary of State shall establish a pilot project to
10 permit a voter in military service on active duty overseas, and any
11 spouse or dependent thereof who is eligible, to vote using the
12 Internet. The pilot project shall be for the primary election and general
13 election occurring in the calendar year in which P.L. , ,

14 c. (pending before the Legislature as this bill) takes effect. This
15 section shall apply to any person in military service, and the spouse or
16 dependent thereof, who, by reason of active duty or service, is absent
17 on the date of the election from the place of residence in New Jersey
18 where the person is or would be 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 authentication of the voter, the security of the ballot being voted, the
23 privacy of the voter casting the ballot, the ability to audit or verify the
24 voting process by the voter and third party entities, the control of the
25 voting process by the appropriate election officials, the integrity of the
26 voting process for the elections at which Internet voting is to be
27 available and the compatibility of that process with the voting system
28 currently used by a voter overseas; (b) employs to the extent possible
29 any guidelines for an Internet voting pilot project that assists voters in
30 military service on active duty overseas, and the spouses or dependents
31 thereof who are eligible to vote, that are proposed or promulgated by
32 the United States Election Assistance Commission or any other agency
33 of the federal government; and (c) adopts, where possible, the best
34 practices used in similar projects in other states and countries;

35 (2) consult with representatives of the clerks of the counties, the
36 superintendents of elections and the county boards of election with
37 regard to the development and implementation of the pilot project;

1 from the place of residence in New Jersey where the person is or
2 would be qualified to vote.

3 The bill requires the Secretary of State to:

4 (1) create an Internet-based voting system for the pilot project
5 that: (a) uses such technology as may be available to ensure the
6 authentication of the voter, the security of the ballot being voted, the
7 privacy of the voter casting the ballot, the ability to audit or verify the
8 voting process by the voter and third party entities, the control of the
9 voting process by the appropriate election officials, the integrity of the
10 voting process for the elections at which Internet voting is to be
11 available, and the compatibility of that process with the voting system
12 currently used by a voter overseas; (b) employs to the extent possible
13 any guidelines proposed or promulgated by the U.S. Election
14 Assistance Commission or any other agency of the federal government
15 for an Internet voting pilot project that assists voters in military service
16 on active duty overseas, and their spouses or dependents who are
17 eligible to vote; and (c) adopts, where possible, the best practices used
18 in similar projects in other states and countries;

19 (2) consult with representatives of the clerks of the counties, the
20 superintendents of elections and the county boards of election with
21 regard to the development and implementation of the pilot project;

22 (3) provide sufficient and accessible notice and information to the
23 public and voters in military service on active duty overseas, and their
24 spouses or dependents who are eligible to vote with respect to the pilot
25 project and the requirements for such voters to participate in the
26 elections at which Internet voting is to be available; and

27 (4) promulgate such temporary rules and regulations as the
28 secretary deems necessary to effectuate the purpose of this bill.

29 The bill requires that the secretary submit to the Governor and the
30 Legislature no later than the 120th day following the day of the general
31 election at which the pilot project is operative a written report with
32 recommendations as to whether: (1) Internet voting for voters in
33 military service on active duty overseas, and their spouses or
34 dependent who are eligible to vote should not be adopted at present;
35 or (2) the pilot project should be expanded and a further assessment of
36 its feasibility should be conducted; or (3) Internet voting for voters in
37 military service on active duty overseas, and their spouses or

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1 dependents who are eligible to vote should be adopted permanently by
2 law.

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