SENATE, No. 2858

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 27, 2020

Sponsored by:
Senator NIA H. GILL
District 34 (Essex and Passaic)
Senator STEVEN V. OROHO
District 24 (Morris, Sussex and Warren)

Co-Sponsored by:
Senator Testa

SYNOPSIS

Requires electronic voting system vendors disclose financial ties prior to electronic voting system approval by Secretary of State.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/19/2021)

AN ACT concerning electronic voting system vendors and amending P.L.1973, c.82 and supplementing Chapter 53A of Title 19 of the Revised Statutes.

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

1. Section 1 of P.L.1973, c.82 (C.19:53A-1) is amended to read as follows:

1. As used in this act, unless otherwise specified:

a. "Automatic tabulating equipment" includes apparatus which automatically examines and counts votes recorded on ballot cards, and tabulates the results.

b. "Ballot card" means a tabulating card on which votes may be recorded.

c. "Ballot labels" means the pages, cards, or other material containing the names of offices and candidates and the statements of measures to be voted on, which are placed on the voting device.

d. "Counting center" means one or more locations selected by each of the county boards of election for the automatic counting of ballots.

e. "Electronic voting system" means a system in which votes are recorded on ballot cards, and such votes are subsequently counted and tabulated by automatic tabulating equipment at one or more counting centers.

f. "Electronic voting system vendor" means and includes any individual, firm, joint venture, partnership, corporation, or company seeking certification for electronic voting systems in this State.

[f**]** g. "Voting device" means an apparatus which the voter uses to record his votes on a tabulating card.

[g**]** h. "County boards of elections" shall mean the county board of elections appointed in the various counties or the person or board in charge of elections in the various counties as provided in Title 19 of the New Jersey Revised Statutes.

(cf: P.L.1973, c.82, s.1)

2. (New section) No electronic voting system shall be used in an election in this State unless the electronic voting system vendor discloses any owners or shareholders with a five percent or greater interest or share in the company, in any subsidiary companies, or in the vendor's parent company, as well as any changes thereto of five percent or greater, and has been approved by the Secretary of State.

3. This act shall take effect immediately.

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.

STATEMENT

This bill requires electronic voting system vendors to disclose any financial ties prior to approval by the Secretary of State.

Currently, voting system vendors must meet a number of requirements prior to approval and certification of voting systems in the State. However, the vendors are not required to disclose financial and investment ties. This bill would require voting system vendors to disclose any owners or shareholders with a five percent or greater interest or share in the company, in any subsidiary companies, or in the vendor's parent company.

This bill is a response to the recent elections security issues. Several states have taken steps to address potential security risks. In Maryland, the state moved to require voting system vendors to disclose its investment ties following the revelation that a former First Deputy Prime Minister of Russia, with close ties to Russian President Vladimir Putin, owned the firm which financed the buyout of Maryland's voting system vendor. In June of 2019, North Carolina's State Board of Elections voted unanimously for each vendor seeking certification in the state to disclose any owners or shareholders with a five percent or greater interest or share in the company, in any subsidiary companies or in the vendor's parent company.

This bill draws on the actions of these states to ensure the security of the elections of the State of New Jersey.