## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

H HOUSE BILL 1330

Short Title:	Military Voting/Internet.	(Public)	
Sponsors: Representatives Clary, Morris (Primary Sponsors); and Davis.			
Referred to:	Election Law and Campaign Finance Reform.		

## April 12, 2001

1				A BILL TO	BE ENTIT	LED		
2	AN	ACT	ALLOWING	<b>INTERNET</b>	VOTING	BY	NORTH	CAROLINIANS
3	SERVING THE ARMED FORCES.							

The General Assembly of North Carolina enacts:

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**SECTION 1.** G.S. 163-160 reads as rewritten:

## "§ 163-160. Voting systems; approval; rules and regulations.

(a) Except as provided by subsection (b) of this section, the The State Board of Elections shall have authority to approve types of voting systems for use in primaries and elections held in this State. The use of voting systems that have been approved by the State Board of Elections in any primary or election held in any county or municipality shall be as valid as the use of paper ballots by the voters.

The State Board of Elections shall prescribe rules and regulations for the adoption, handling, operation, and honest use of voting systems, including, but not limited to, the following:

- (1) Types of voting systems approved for use in this State;
- (2) Form of ballot labels to be used on voting systems;
- (3) Operation and manner of voting on voting systems;
- (4) Instruction of precinct officials in the use of voting systems;
- (5) Instruction of voters in the use of voting systems;
  - (6) Assistance to voters using voting systems;
- (7) Duties of custodians of voting systems;
- (8) Examination of voting systems before use in a primary election; and
- (9) Use of paper or other ballots where voting systems are used as set out in G.S. 163-162.
- (b) The Secretary of State shall take all steps necessary to implement, in accordance with Article 21A of this Chapter, an Internet voting system for persons in the armed forces and their spouses, for certain veterans, and for civilians working with the armed forces."

1		SEC	<b>FION 2.</b> Chapter 163 of the General Statutes is amended by adding a			
2	new Artic	cle to r	ead:			
3			"Article 21A.			
4	"Interne	"Internet Military Absentee Registration and Voting in Primary and General Elections.				
5	" <u>§ 163-2</u>	<u>58. Pe</u>	ersons in armed forces, their spouses, certain veterans, and civilians			
6		<u>work</u>	ing with armed forces may vote via the Internet.			
7	<u>(a)</u>	<u>Any</u>	individual who is registered and who is qualified to vote in any			
8	Statewide	e prima	ary or election held under the laws of this State, and who is absent from			
9	the count	ty of hi	s or her residence in any of the capacities specified in subsection (b) of			
10	this secti	on, sh	all be entitled to vote via the Internet in the manner provided in this			
11	Article.					
12	<u>(b)</u>	The p	rovisions of this Article shall apply to the following persons:			
13		<u>(1)</u>	Persons serving in the armed forces of the United States, including			
14			(but not limited to) the army, the navy, the air force, the marine corps,			
15			the coast guard, the Army Nurse Corps, the Navy Nurse Corps, the			
16			Women's Navy Reserve, the Marine Corps Women's Reserve, the			
17			Women's Army Corps, the Merchant Marine, and members of the			
18			national guard and military reserve who on the day of a primary or			
19			general election are absent on active duty.			
20		<u>(2)</u>	Spouses of persons serving in the armed forces of the United States			
21		(2)	residing outside the counties of their spouses' voting residence.			
22 23		<u>(3)</u>	Disabled war veterans in United States government hospitals.			
23		<u>(4)</u>	Civilians attached to and serving outside the United States with the			
24		.=0.4	armed forces of the United States.			
25	" <u>§ 163-2</u>		Establishment of Internet voting for armed forces personnel;			
26	( )		etary of State to implement Internet-based voting system.			
27	<u>(a)</u>		Secretary of State, shall develop and implement an Internet-based voting			
28	_		tate absentee voting by armed forces personnel wherever they may be,			
29			e, out-of-State, or overseas. The system shall encompass both software			
30			d purchasing of the necessary hardware for the Internet voting system.			
31	<u>(b)</u>		nternet voting system for military personnel shall:			
32		<u>(1)</u>	Allow the Secretary of State to issue digital certificates.			
33		<u>(2)</u>	Transmit encrypted information over a secure network.  Provide for coopera identification and outboation of			
34		<u>(3)</u>	Provide for secure identification and authentication of:			
35			a. Any information transmitted on the system.  All elections officials and their correspond all other related			
36			b. All elections officials and their servers and all other related			
37			electronic equipment being used by State and county elections			
38		(4)	officials supervising or responsible for elections.  Protect the privacy, appropriate and integrity of each voter's hallet			
39 40		<u>(4)</u>	Protect the privacy, anonymity, and integrity of each voter's ballot.  Provent the casting of multiple bellots in any one election evals by any			
40 41		<u>(5)</u>	Prevent the casting of multiple ballots in any one election cycle by any			
41 42		(6)	voter.  Provide protection against abuse, including tampering, fraudulent use,			
42 43		<u>(6)</u>	and illegal manipulation by voters, elections officials, or any other			
43 44			individual or group.			
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SECTION 2. Chapter 163 of the General Statutes is amended by adding a

1 (7) Provide uninterrupted, reliable availability during the voting periods 2 established by this Chapter. 3 Legibly convey all requirements mandated by this Chapter to be (8) 4 included on ballots. 5 <u>(9)</u> Be upgradeable, and readily accessible and easy to use for all voters 6 voting under this Article. 7 Be capable of archiving votes, allowing recounts, and being audited as (10)8 to contents, results, and process at a level sufficient to guarantee the 9 integrity of the voting system and the public's confidence in the voting 10 system. 11 (11)Include an Internet website that securely receives and tabulates ballots 12 and is maximally resistant to being interrupted or shutdown by denial 13 of service, computer virus, or other attack. The Secretary of State shall implement the system so that each county board 14 (c) 15 of elections can: 16 (1) Assure that each registered voter is qualified to vote. Ensure a secure registration list to verify that each voter who logs in to 17 (2) 18 vote via the Internet is in fact the same person who has qualified and 19 legally registered. 20 Verify that votes transmitted to the county are private and secure and <u>(3)</u> 21 have not been viewed or altered by sites that lie between the voting 22 location and the vote counting destination. 23 (4) Verify that all votes cast were indeed counted and attributed correctly. The Secretary of State shall coordinate with the Department of Defense to 24 (d) facilitate the State's participation in the Department's military Internet voting pilot 25 system. The Secretary of State shall supervise the State's effort in linking, as may be 26 required, Department of Defense servers, routers, and other equipment with the State's 27 28 Internet voting system. 29 The Secretary of State shall adopt all rules, policies, and technical 30 requirements necessary to carry out the purpose of this Article. The State Board of 31 Elections and the county boards of elections shall comply with the rules, policies, and 32 technical requirements of the Secretary of State. "§ 163-258.2 Provisions of Article 20 applicable except as otherwise provided. 33 34 Except as otherwise provided in this Article, Internet voting by individuals to whom 35 this Article is applicable shall be governed by the provisions of Article 20 of this

**SECTION 3.** This act is effective when it becomes law.

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Chapter."