

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1759

Short Title: On-Line Voting Study.

(Public)

Sponsors: Representative Nesbitt.

Referred to: Rules, Calendar, and Operations of the House.

June 17, 2002

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO
STUDY ON-LINE VOTING.

The General Assembly of North Carolina enacts:

SECTION 1. There is created an On-Line Voting Commission. The Commission shall be composed of 19 members. Twelve members shall be appointed as follows:

- (1) The President Pro Tempore of the Senate shall appoint four members, including at least one county board of elections member, with no more than three of the four affiliated with the same political party.
- (2) The Speaker of the House of Representatives shall appoint four members, including at least one county elections director, with no more than three of the four affiliated with the same political party.
- (3) The Governor shall appoint four members, including at least one county commissioner and at least one minority-party member of the State Board of Elections.

The Chair, the Executive Director of the State Board of Elections, the Executive Director of the Information Resources Management Commission, and the State Chief Information Officer shall be ex officio members. The State chairs of the three political parties whose nominees for Governor received the largest number of votes in the most recent general election for Governor shall be ex officio members. All members of the Commission, whether appointed or ex officio, shall be voting members.

SECTION 2. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Commission from their appointees.

SECTION 3. The On-Line Voting Commission shall study the feasibility of establishing a system of voting on the Internet in North Carolina elections. The study shall include such aspects of the issue as the following:

- (1) The state of technology with regard to on-line voting.

- 1 (2) The experience of other states and other jurisdictions in use of online
- 2 voting.
- 3 (3) Comprehensibility of the process to the average voter.
- 4 (4) Any unevenness in accessibility to or comfort level with on-line voting
- 5 among different types of voters, and strategies for overcoming any
- 6 such "digital divide."
- 7 (5) Concerns of privacy and security.
- 8 (6) Cost.

9 **SECTION 4.** With the prior approval of the Legislative Services
10 Commission, the Legislative Services Officer shall assign professional staff to assist in
11 the work of the On-Line Voting Commission and may provide for additional staffing by
12 the State Board of Elections, Office of the Attorney General, and the Institute of
13 Government. With prior approval of the State Board of Elections, the On-Line Voting
14 Commission may hold its meetings in the offices of the State Board. With the prior
15 approval of the Legislative Services Commission, the On-Line Voting Commission may
16 hold its meetings in the State Legislative Building or the Legislative Office Building.

17 **SECTION 5.** The Commission shall submit a final written report of its
18 findings and recommendations on or before the convening of the 2003 General
19 Assembly. The report shall be filed with the President Pro Tempore of the Senate and
20 the Speaker of the House of Representatives, the Principal Clerks of the Senate and the
21 House of Representatives, and the Legislative Librarian. Upon filing its final report, the
22 Commission shall terminate.

23 **SECTION 6.** Members of the Commission shall be paid per diem,
24 subsistence, and travel allowances as follows:

- 25 (1) Commission members who are also members of the General
- 26 Assembly, at the rate established in G.S. 120-3.1.
- 27 (2) Commission members who are officials or employees of the State or
- 28 local government agencies, at the rate established in G.S. 138-6.
- 29 (3) All other Commission members, at the rate established in G.S. 138-5.

30 **SECTION 7.** All State departments and agencies, local boards of elections,
31 and local governments and their subdivisions shall cooperate with the Commission and,
32 upon request, shall furnish to the Commission and its staff any information in their
33 possession or available to them.

34 **SECTION 8.** From funds appropriated to the General Assembly, the
35 Legislative Services Commission shall allocate funds for the expenses of the On-Line
36 Voting Commission.

37 **SECTION 9.** There is appropriated from the General Fund to the On-Line
38 Voting Commission for the 2002-2003 fiscal year the sum of thirty thousand dollars
39 (\$30,000) for purposes of this act.

40 **SECTION 10.** This act becomes effective July 1, 2002.