

SUBJECT: Internet voting pilot project for military personnel

COMMITTEE: Elections — favorable, without amendment

VOTE: 6 ayes — Danburg, J. Jones, Averitt, Denny, Hodge, Madden
0 nays
3 absent — Gallego, Greenberg, Uher

SENATE VOTE: On final passage, Local and Uncontested Calendar, April 8 — 30-0

WITNESSES: (*On House companion bill, HB 2392:*)
For — Dana DeBeauvoir, County Clerks Legislative Committee

Against — None

BACKGROUND: Election Code, sec. 105.001 allows members of the U.S. armed forces on active duty overseas who are stationed in combat zones or areas of hostile fire or imminent danger, or their spouses or dependents, to cast early-voting ballots by telephone facsimile (fax) machines or similar electronic means.

DIGEST: SB 917 would allow any county in Texas, if selected by the U.S. Department of Defense (DoD), to take part in an Internet voting pilot project to allow members of the U.S. armed forces to cast votes electronically.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. It would expire January 1, 2003.

SUPPORTERS SAY: DoD has established a pilot project to allow armed forces personnel stationed overseas to cast their votes electronically over the Internet. The department has chosen Dallas County as one location to conduct this pilot project, which is scheduled to be tested in the November 2000 elections. To participate, however, the county needs authorization from the Legislature.

This pilot project would allow the federal government to determine the feasibility of using the Internet or another electronic format as a means of casting votes. If the project is successful, it could pave the way for additional

study into expanding the use of electronic voting to all military personnel stationed outside Texas, as well as to the general population. This program would be limited to a pilot project for now because if it were expanded too broadly or too rapidly, it could place a burden on county clerks to manage the conduct of elections effectively.

State law already allows military personnel to vote electronically if they are stationed in a hostile area and receiving hazard pay. This program would expand that ability to other military personnel stationed overseas. However, the program is designed to allow electronic voting for a maximum of 50 voters in each state chosen to participate in the pilot project.

**OPPONENTS
SAY:**

Military voters already have many ways to cast ballots outside of the traditional election system. This bill would establish yet another way for them to circumvent the general system. Because many military voters tend to vote alike, they do not necessarily represent a good cross section on which to base a pilot project. A pilot project that judged the feasibility of electronic voting among a more representative sampling of voters would be better.

Many military voters claim Texas as a residence for financial reasons without ever having the intention of living in the state. Giving these voters additional opportunities to vote by methods not available to the general population could disrupt the representativeness of the state's voting population.