

1-19-2016

ONLINE VOTING. INITIATIVE STATUTE.

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E-Voting Act of 2016

Date: Fri, December 11th 2015

Hon. Kamala D. Harris
Attorney General
Attn: Initiative Coordinator
Office of the Attorney General
1300 I Street, 17th Floor
Sacramento, CA 94244-25550

RECEIVED

DEC 11 2015

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

RE: E-Voting Act of 2016 Amendments

Dear Ms. Johansson:

I respectfully and formally request the amendments, enclosed, to be made to the active measure: The E-Voting Act of 2016.

Any correspondence and/or inquires regarding this matter may be addressed to:
Chase Martinez 7145 Mariposa ave Citrus Heights, CA 95610 916-223-6976

Your time is appreciated.

Sincerely,



Chase Martinez

E-Voting Act of 2016

Section 1. Title

This shall be known, and may be cited as "E-Voting Act of 2016"

Sec. 2. Findings & Declarations

The people of the State of California find and declare:

1. In California the average voter is older than the average Californian, and his or her parents.
2. Only 8.2 percent of Californians age 18-24 casted a ballot in November 2014 General Election. California's youth appears to be unconcerned with matters that directly affect their own futures and the generations that follow.
3. Even Californians in their mid 30s were practically nonexistent in participation, furthering the gap in representation of California's constituents, as well as the need for not only modernization, but also education of Californians in matters of policy.
4. The state needs a modernized voting platform. It is in the best interest of the state to create and maintain an online ballot system or contract with a third party to provide this service for Californians adding tools to further the representation of the States people in its system and process. Electronic balloting, voter education, and election night reporting was provided by one such company in over 320 jurisdictions across the United States during the 2014 General Election.
5. It is in the State of California and its constituent's best interest that the modernization of its voting system be achieved without new taxes. Funds should be appropriated from the \$69 million remaining, as of December of 2014, from the Voting Modernization Act of 2002.
 - (a) This measure would modernize the voting system and would therefore be eligible for funds appropriated from the Voting Modernization Act of 2002.
6. Alaska, Arkansas, Kentucky, Arizona, Washington D.C., Mississippi, Virginia, West Virginia, Florida, and New York already contract for online balloting services; most, but not all, states listed also contracted for online balloting services to give citizens of their respective states residing overseas in the military the ability to vote online.
 - (a) The system proposed should also be made available for those of California's constituents that are serving in the military overseas.
7. Code visibility, network and data encryptions, along side other means of checks and balances shall secure all concerns.

7. Code visibility, network and data encryptions, along side other means of checks and balances shall secure all concerns.

Sec. 3. Intent & Purpose

The people of the State of California declare their purpose and intent in enacting “The E-Voting Act of 2016” as follows:

1. To work with the State of California, through means of an initiated state statute, to create an additional, more convenient, and accessible avenue for Californians to vote, including those serving in the military overseas.

(a) A system that will allow California’s constituents the opportunity to vote from any device/computer if they so choose to; as current online voting encryption technology in the market place is compatible with Google Android™, Blackberry, and Apple® iOS devices.

(b) To allow people with varying levels of computer proficiency to vote easily without any additional training; an online ballot system should have the ability to be configured to replicate any paper style ballot.

(c) To provide said system in Spanish upon implementation with other languages to be determined at a latter time.

(i) Hispanic or Latino percent in California 38.5% (2014 Census)

3. To increase voter turn out, participation in the political process, and most importantly better the communication between California’s representatives and their constituents.

4. To promote participation, the system should allow voters to share via Facebook and Twitter that they voted if they so choose (modernizing the “I voted” sticker).

5. To further demonstrate to constituents that their vote does count through means of real time software.

Sec. 4. Online system & Procedure

Section 4 is added to the government code Division 19. Chapter 2. Elections Code Section 19100-19105 as follows:

a. By December 31, 2017 The Secretary of State shall create an online ballot system, or contract with a third party to provide this service to Californians. The system shall be designed and implemented with the following requirements:

1. The system shall require 2 pins related to identifying the voter and signing for their ballot. Upon registration for the online ballot voters would have the ability to choose to receive this information via email or mail.

(A) Voter I.D. number (Pin 1) shall be sent upon registration for online ballot.

(B) Voter E-Signature (Pin 2) a number of days before Election Day as determined by state.

(i) If mail is chosen, the Voter E-Signature (Pin 2) shall be delivered in a concealed manner that is tamper proof.

(C) Voter E-signature (Pin 2) shall be unique to each election.

2. Remote online voting shall be conducted in an appropriate time manner that allows information, such as a list of whom has voted, to be sent to the polling stations prior to them opening.

3. Upon casting of online ballot voters would need both pins to navigate through the system.

(a) The system shall verify the right to vote and display the corresponding ballot.

(b) Once a vote is cast it shall be encrypted and sent to the voting server.

4. \$45 million from the Voting Modernization Fund is hereby appropriated for this purpose.

Sec. 5. Testing & Voter Assurance

Section 5 is added to the government code Division 19. Chapter 2. Elections Code Section 19100-19105 as follows:

(a) If voted into law municipal and local elections that follow 2016's general election will act as said environment and tests leading up to the complete roll out of the online ballot system by the immediate general election that follows.

1. An electronic paper trail of voter list and voter authentication, or casting of vote, shall be kept and made available to the public in a manner that secures anonymity of the vote.

2. The System's security protocols and procedure are to be made visible, transparent, and easily accessible to the public electronically.

Sec. 6. Checks & Balances

1. The online ballot system would be best if accompanied by election night reporting, and a post election audit.

Section 6 is added to the government code Division 19. Chapter 2. Elections Code Section 19100-19105 as follows:

(a) The state will be responsible to work alongside the systems provider to audit its analysis, procedures, security, and to preserve the anonymity of the vote after the conclusion of each election.

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

ONLINE VOTING. INITIATIVE STATUTE. Requires Secretary of State to develop or contract with a third party for an online voting system by December 31, 2017. Appropriates \$45 million from the Voting Modernization Bond Act of 2002 to finance the new system. Contains security and auditing requirements. Requires testing of system in local elections. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased costs to state and local governments to administer elections. These costs include (1) one-time costs—possibly tens of millions of dollars—to develop new information technology systems and (2) ongoing costs—possibly millions of dollars annually—to administer elections.** (15-0108.)