

ALASKA STATE LEGISLATURE

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Senate Bill 205 – Sponsor Statement

"An Act relating to digital absentee voting; and providing for an effective date."

SB 205 modernizes Alaska elections to protect election integrity and provide a more secure and accessible voting option for military voters and other voters with inherent obstacles to traditional absentee voting. Current law in Alaska permits military and overseas voters to receive a ballot electronically by email or fax, but the only return options are physical mail, which is often unreliable, or fax, which uses antiquated technology that does not protect voter privacy or ballot security.

SB 205 will require the Division of Elections to offer a fully digital absentee voting option that improves available options for certain voters and advances election integrity by making the election process more transparent and verifiable. This bill will directly provide greater ballot accessibility to overseas voters – many of whom are in the military – while simultaneously providing greater security and integrity protections of their votes. SB 205 supports the universal goal of making it easier to vote and harder to cheat.

Specifically, the bill requires the Division of Elections to establish a digital absentee voting option that uses verifiable technology for voters who meet the following criteria:

- A uniformed service member, spouse or dependent, or a citizen residing outside of the country
- A voter with a disability
- Other special needs voters as defined in Alaska law

The bill is modeled after a similar law that recently passed in West Virginia and builds on successful digital voting pilots conducted in over 330 jurisdictions across ten states, Alabama, Colorado, Montana, North Carolina, Oregon, South Carolina, Utah, Virginia, Washington, and West Virginia. Those pilots demonstrated the technology exists to make voting easier and more secure for our military voters and other voters who face inherent obstacles to voting.

SB 205 will improve the security and privacy issues inherent in fax return options for military and overseas voters. And it will provide a fully accessible absentee voting option for voters with disabilities and voters who are hospitalized within days of an election. Under the bill, the digital absentee voting option must comply with all state requirements for absentee voting, including signature affidavits with witness signatures to protect election integrity, and all digital ballots must produce a paper ballot to serve as the official record for tabulation, recounts, and post-election audits.

The system will further protect election integrity by building on rapid advancements in cryptography in recent years that will safeguard voters' digital ballots throughout the process while allowing voters to verify the system works correctly from end to end, including by verifying their own ballot and tracking that it is received and counted correctly. SB 205 also includes requirements to ensure that voter privacy and ballot anonymity is maintained, that only eligible voters are able to vote, and that voters cannot submit more than one ballot.

SB 205 would take effect beginning in 2023 to ensure the Division of Elections can successfully implement it after the conclusion of the 2022 elections.