

# HOUSE BILL 729

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HB 27/12 – W&M

3lr0934  
CF SB 367

By: **Delegates Parrott, Afzali, Aumann, Boteler, Dwyer, Elliott, Haddaway–Riccio, Hogan, Impallaria, Kipke, Krebs, McComas, McDonough, Ready, B. Robinson, Stocksdale, Szeliga, and Vitale**

Introduced and read first time: February 5, 2013

Assigned to: Ways and Means

## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Petitions – Confidentiality**

3 FOR the purpose of prohibiting public inspection of a petition after the petition is filed  
4 with the State Board of Elections or a county board of elections, with a certain  
5 exception; requiring a custodian to permit a person to inspect a petition if the  
6 person requires access to the petition to facilitate judicial review of a  
7 determination concerning the sufficiency of the petition; providing that a  
8 custodian may not disclose personal information contained in a petition to the  
9 general public; defining a certain term; and generally relating to the  
10 confidentiality of petitions.

11 BY repealing and reenacting, without amendments,  
12 Article – Election Law  
13 Section 6–205(a)(1)  
14 Annotated Code of Maryland  
15 (2010 Replacement Volume and 2012 Supplement)

16 BY adding to  
17 Article – Election Law  
18 Section 6–205(e)  
19 Annotated Code of Maryland  
20 (2010 Replacement Volume and 2012 Supplement)

21 BY adding to  
22 Article – State Government  
23 Section 10–616(v)  
24 Annotated Code of Maryland  
25 (2009 Replacement Volume and 2012 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Election Law**

4 6–205.

5 (a) (1) Unless otherwise required by the Maryland Constitution, a  
6 petition shall be filed, in person by or on behalf of the sponsor, in the office of the  
7 appropriate election authority.

8 **(E) SUBSEQUENT TO THE FILING OF A PETITION WITH THE**  
9 **APPROPRIATE ELECTION AUTHORITY, THE PETITION IS NOT SUBJECT TO**  
10 **PUBLIC INSPECTION EXCEPT TO THE EXTENT PROVIDED IN § 10–616(V) OF THE**  
11 **STATE GOVERNMENT ARTICLE.**

12 **Article – State Government**

13 10–616.

14 **(V) (1) IN THIS SUBSECTION, “PETITION” HAS THE MEANING STATED**  
15 **IN § 6–101(I) OF THE ELECTION LAW ARTICLE.**

16 **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
17 **SUBSECTION, A CUSTODIAN SHALL DENY INSPECTION OF A PETITION AFTER THE**  
18 **PETITION IS FILED WITH THE STATE BOARD OF ELECTIONS OR A COUNTY**  
19 **BOARD OF ELECTIONS.**

20 **(3) (I) A CUSTODIAN SHALL PERMIT A PERSON TO INSPECT A**  
21 **PETITION IF THE PERSON REQUIRES ACCESS TO THE PETITION TO FACILITATE**  
22 **JUDICIAL REVIEW OF A DETERMINATION CONCERNING THE SUFFICIENCY OF**  
23 **THE PETITION UNDER § 6–209 OF THE ELECTION LAW ARTICLE.**

24 **(II) THIS PARAGRAPH DOES NOT AUTHORIZE A CUSTODIAN**  
25 **TO DISCLOSE PERSONAL INFORMATION CONTAINED IN A PETITION TO THE**  
26 **GENERAL PUBLIC.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 June 1, 2013.