

HOUSE BILL 1122

D1, G1, R4
HB 891/15 – JUD & W&M

6lr2697

By: **Delegate McDonough**

Introduced and read first time: February 11, 2016

Assigned to: Judiciary and Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Voting Disclosure Act of 2016**

3 FOR the purpose of requiring a jury commissioner to provide certain prospective juror
4 information concerning individuals who are not citizens of the United States to the
5 State Board of Elections and the Motor Vehicle Administration within a certain time
6 period; requiring the State Administrator of Elections to make certain arrangements
7 to receive the information; requiring the State Administrator to retain a list of
8 certain individuals whose information has been submitted; requiring the State
9 Administrator to direct a certain election director to remove an individual on a
10 certain list from the statewide voter registration list; requiring the State
11 Administrator to provide certain information to the Office of the United States
12 Attorney for a certain purpose; requiring the State Administrator to publish
13 annually certain information on the State Board's Web site; requiring the Motor
14 Vehicle Administration, on receipt of certain information, to review the status of a
15 certain individual's driving privileges and cancel and order the surrender of the
16 individual's license under certain circumstances; requiring the Administration to
17 issue an appropriate license to an individual who has surrendered a license under
18 certain circumstances; authorizing a licensee to request a hearing under certain
19 circumstances; and generally relating to the disclosure of juror information to the
20 State Board of Elections and State Motor Vehicle Administration.

21 BY repealing and reenacting, with amendments,
22 Article – Courts and Judicial Proceedings
23 Section 8–105
24 Annotated Code of Maryland
25 (2013 Replacement Volume and 2015 Supplement)

26 BY adding to
27 Article – Election Law
28 Section 3–504(a)(4)
29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2010 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation

Section 16–206.2

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Article – Courts and Judicial Proceedings

8–105.

(a) A custodian, as defined in § 4–101(d) of the General Provisions Article, may allow access to information about prospective, qualified, and sworn jurors only in accordance with rules that the Court of Appeals adopts.

(b) The rules shall provide for access to, and copying of, information needed for a challenge under § 8–408 or § 8–409 of this title.

(c) The rules shall provide for disclosure of information to the State Board of Elections as to individuals who have died, have moved, or are not citizens of the United States.

(d) The rules shall provide for disclosure of information to the State Motor Vehicle Administration as needed to correct data that the Administration provides.

(E) A JURY COMMISSIONER SHALL PROVIDE INFORMATION CONCERNING INDIVIDUALS WHO ARE NOT CITIZENS OF THE UNITED STATES TO THE STATE BOARD OF ELECTIONS AND THE STATE MOTOR VEHICLE ADMINISTRATION IN ACCORDANCE WITH SUBSECTIONS (C) AND (D) OF THIS SECTION WITHIN 5 DAYS OF RECEIVING THE INFORMATION.

Article – Election Law

3–504.

(a) **(4) THE STATE ADMINISTRATOR SHALL:**

(i) MAKE ARRANGEMENTS WITH THE JURY COMMISSIONER OF THE CIRCUIT COURT FOR EACH COUNTY TO RECEIVE REPORTS OF THE NAMES AND ADDRESSES OF INDIVIDUALS WHO:

1. WERE SUMMONED AS PROSPECTIVE JURORS; AND

1 **2. INDICATED THAT THEY ARE NOT CITIZENS OF THE**
2 **UNITED STATES;**

3 **(II) MAINTAIN A LIST OF INDIVIDUALS WHOSE INFORMATION**
4 **HAS BEEN SUBMITTED IN ACCORDANCE WITH ITEM (I) OF THIS PARAGRAPH;**

5 **(III) DIRECT THE APPROPRIATE ELECTION DIRECTOR TO**
6 **REMOVE AN INDIVIDUAL INCLUDED ON THE LIST MAINTAINED UNDER ITEM (II) OF**
7 **THIS PARAGRAPH FROM THE STATEWIDE VOTER REGISTRATION LIST;**

8 **(IV) PROVIDE A COPY OF THE LIST MAINTAINED UNDER ITEM (II)**
9 **OF THIS PARAGRAPH TO THE OFFICE OF THE UNITED STATES ATTORNEY FOR**
10 **PROSECUTION UNDER FEDERAL LAW FOR FRAUDULENTLY REGISTERING TO VOTE;**
11 **AND**

12 **(V) PUBLISH ANNUALLY ON THE STATE BOARD'S WEB SITE THE**
13 **NUMBER OF INDIVIDUALS WHO HAVE BEEN REMOVED FROM THE STATEWIDE VOTER**
14 **REGISTRATION LIST IN ACCORDANCE WITH ITEM (III) OF THIS PARAGRAPH.**

15 **Article – Transportation**

16 **16–206.2.**

17 **(A) ON RECEIPT OF INFORMATION IN ACCORDANCE WITH § 8–105 OF THE**
18 **COURTS ARTICLE FROM A JURY COMMISSIONER OF A COUNTY CONCERNING AN**
19 **INDIVIDUAL WHO IS NOT A CITIZEN OF THE UNITED STATES, THE ADMINISTRATION**
20 **SHALL:**

21 **(1) REVIEW THE STATUS OF THE INDIVIDUAL'S DRIVING PRIVILEGES**
22 **TO ENSURE THAT THE INDIVIDUAL IS QUALIFIED FOR THE LICENSE ISSUED BY THE**
23 **ADMINISTRATION; AND**

24 **(2) IF THE ADMINISTRATION HAS ISSUED A LICENSE FOR WHICH THE**
25 **INDIVIDUAL IS NOT QUALIFIED, CANCEL THE INDIVIDUAL'S LICENSE AND ORDER**
26 **THE INDIVIDUAL TO SURRENDER THE LICENSE.**

27 **(B) ON RECEIPT OF A LICENSE SURRENDERED UNDER SUBSECTION (A) OF**
28 **THIS SECTION, THE ADMINISTRATION SHALL, IF APPROPRIATE, ISSUE THE**
29 **INDIVIDUAL A LICENSE FOR WHICH THE INDIVIDUAL IS PROPERLY QUALIFIED.**

1 **(C) SUBJECT TO THE PROVISIONS OF TITLE 12, SUBTITLE 2 OF THIS**
2 **ARTICLE, A LICENSEE MAY REQUEST A HEARING ON A CANCELLATION UNDER THIS**
3 **SECTION.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2016.