

# SENATE BILL 11

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(PRE-FILED)

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By: **Senator Manno**

Requested: August 19, 2015

Introduced and read first time: January 13, 2016

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 7, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Universal Voter Registration Act~~  
3 Freedom to Vote Act

4 FOR the purpose of ~~requiring the Motor Vehicle Administration and certain social service~~  
5 ~~agencies to provide electronic records of certain individuals to the State Board of~~  
6 ~~Elections; requiring the electronic records to include certain information relating to~~  
7 ~~each individual; requiring the State Board to determine whether each individual~~  
8 ~~whose electronic record it receives is eligible to be registered to vote; requiring the~~  
9 ~~State Board to provide the electronic record of each individual who is eligible to be~~  
10 ~~registered to vote to the local board of elections for the county where the individual~~  
11 ~~resides; requiring the local board to send a notice that contains certain information~~  
12 ~~to each individual who is eligible to be registered to vote; requiring a local board to~~  
13 ~~add to the statewide voter registration list the name of each individual who is eligible~~  
14 ~~to be registered to vote and who does not decline to register within a specified period~~  
15 ~~of time; requiring that an individual added to the statewide voter registration list be~~  
16 ~~listed as not affiliated with any political party if the individual has not selected a~~  
17 ~~political party affiliation; authorizing the State Board to adopt regulations to~~  
18 ~~implement this Act; repealing certain requirements that the Administration and~~  
19 ~~certain social service agencies conduct voter registration activities in a certain~~  
20 ~~manner; making conforming changes; defining certain terms; and generally relating~~  
21 ~~to universal voter registration.~~ requiring certain State agencies that are deemed  
22 electronic voter registration agencies to implement electronic voter registration  
23 systems on or before a certain date; requiring an electronic voter registration system  
24 to comply with certain requirements; requiring the State Board of Elections to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 register individuals whose voter registration information is transmitted to the State  
2 Board through an electronic voter registration system; prohibiting an agent of an  
3 electronic voter registration agency who is responsible for carrying out certain voter  
4 registration functions from taking certain actions; restricting the use of certain data  
5 related to voter registration; authorizing the State Board to adopt regulations to  
6 implement electronic voter registration systems; requiring an electronic voter  
7 registration agency to submit certain reports to certain committees of the General  
8 Assembly on or before certain dates; designating all one-stop career centers in the  
9 Department of Labor, Licensing, and Regulation as voter registration agencies;  
10 providing that voter registration agencies that are subject to certain requirements  
11 are not subject to certain provisions of law; requiring voter registration agencies to  
12 ensure that certain applications for service or assistance may not be completed until  
13 the applicant has indicated whether the applicant wishes to register to vote;  
14 requiring a public institution of higher education to provide a link to the online voter  
15 registration system on the home page of the online portal used by students to register  
16 for course work; requiring the Maryland Higher Education Commission to submit  
17 certain reports to certain committees of the General Assembly; requiring the  
18 Department of Labor, Licensing, and Regulation to submit certain reports  
19 concerning voter registration at one-stop career centers to certain committees of the  
20 General Assembly on or before certain dates; requiring the State Board and the  
21 Department of Natural Resources to develop procedures for applicants who apply for  
22 any license, permit, or certificate online to register to vote through a link to the online  
23 voter registration system; requiring the State Board and the Department of Veterans  
24 Affairs to develop procedures for individuals who use the Department of Veterans  
25 Affairs Web site or who are contacted through a certain program to register to vote  
26 through a link to the online voter registration system; requiring the State Board and  
27 the Department of Human Resources to develop and implement procedures for  
28 certain individuals who use the Department's electronic portal for certain purposes  
29 to be offered the opportunity to register to vote through a link to the State Board's  
30 online voter registration system; requiring the State Board and the Department of  
31 Labor, Licensing, and Regulation to develop procedures for individuals who use the  
32 Maryland Workforce Exchange Web site to register to vote through a link to the  
33 online voter registration system; requiring the State Board to adopt certain  
34 regulations regarding participants in address confidentiality programs; authorizing  
35 the disclosure of information concerning an applicant for certain services and public  
36 assistance programs as necessary to administer electronic voter registration;  
37 requiring certain agencies to take certain actions to train employees of the agency  
38 concerning the requirements of this Act; repealing certain provisions of law relating  
39 to voter registration at the Motor Vehicle Administration; requiring the Attorney  
40 General to request certain determinations from the United States Department of  
41 Labor and the Internal Revenue Service; making certain provisions of this Act  
42 contingent on certain determinations made by the United States Department of  
43 Labor; requiring the Department of Information Technology and the State Board of  
44 Elections to conduct a certain study; defining certain terms; and generally relating  
45 to voter registration.

1 ~~Article – Election Law~~  
 2 ~~Section 3–102 and 3–301(e)(2)~~  
 3 ~~Annotated Code of Maryland~~  
 4 ~~(2010 Replacement Volume and 2015 Supplement)~~

5 ~~BY repealing and reenacting, with amendments,~~  
 6 ~~Article – Election Law~~  
 7 ~~Section 3–201, 3–202(a)(4), 3–204(a), 3–302, and 3–303~~  
 8 ~~Annotated Code of Maryland~~  
 9 ~~(2010 Replacement Volume and 2015 Supplement)~~

10 ~~BY repealing~~  
 11 ~~Article – Election Law~~  
 12 ~~Section 3–203~~  
 13 ~~Annotated Code of Maryland~~  
 14 ~~(2010 Replacement Volume and 2015 Supplement)~~

15 ~~BY adding to~~  
 16 ~~Article – Election Law~~  
 17 ~~Section 3–203~~  
 18 ~~Annotated Code of Maryland~~  
 19 ~~(2010 Replacement Volume and 2015 Supplement)~~

20 BY adding to  
 21 Article – Election Law  
 22 Section 1–101(b–1), 3–203, 3–204(a–1), (c), and (j), and 3–204.2  
 23 Annotated Code of Maryland  
 24 (2010 Replacement Volume and 2015 Supplement)

25 BY repealing and reenacting, without amendments,  
 26 Article – Election Law  
 27 Section 1–101(y) and 3–204(a)(1) and (3), (d), (e), (g), (h), and (i)  
 28 Annotated Code of Maryland  
 29 (2010 Replacement Volume and 2015 Supplement)

30 BY repealing and reenacting, without amendments,  
 31 Article – Election Law  
 32 Section 3–102  
 33 Annotated Code of Maryland  
 34 (2010 Replacement Volume and 2015 Supplement)  
 35 (As enacted by Chapter 6 of the Acts of the General Assembly of 2016)

36 BY repealing  
 37 Article – Election Law  
 38 Section 3–203 and 3–204(c)  
 39 Annotated Code of Maryland  
 40 (2010 Replacement Volume and 2015 Supplement)

1 BY repealing and reenacting, with amendments,  
 2 Article – Election Law  
 3 Section 3–204(a)(2), (b), and (f) and 3–506  
 4 Annotated Code of Maryland  
 5 (2010 Replacement Volume and 2015 Supplement)

6 BY repealing and reenacting, with amendments,  
 7 Article – Human Services  
 8 Section 1–201  
 9 Annotated Code of Maryland  
 10 (2007 Volume and 2015 Supplement)

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

13 **Article – Election Law**

14 ~~§ 102.~~

15 ~~(a) (1) Except as provided in subsection (b) of this section, an individual may~~  
 16 ~~become registered to vote if the individual:~~

17 ~~(i) is a citizen of the United States;~~

18 ~~(ii) is at least 16 years old;~~

19 ~~(iii) is a resident of the State as of the day the individual seeks to~~  
 20 ~~register; and~~

21 ~~(iv) registers pursuant to this title.~~

22 ~~(2) Notwithstanding paragraph (1)(ii) of this subsection, an individual~~  
 23 ~~under the age of 18 years:~~

24 ~~(i) may vote in a primary election in which candidates are~~  
 25 ~~nominated for a general or special election that will occur when the individual is at least~~  
 26 ~~18 years old; and~~

27 ~~(ii) may not vote in any other election.~~

28 ~~(b) An individual is not qualified to be a registered voter if the individual:~~

29 ~~(1) has been convicted of a felony and is actually serving a court-ordered~~  
 30 ~~sentence of imprisonment, including any term of parole or probation, for the conviction;~~

1 ~~(2) is under guardianship for mental disability and a court of competent~~  
 2 ~~jurisdiction has specifically found by clear and convincing evidence that the individual~~  
 3 ~~cannot communicate, with or without accommodations, a desire to participate in the voting~~  
 4 ~~process; or~~

5 ~~(3) has been convicted of buying or selling votes.~~

6 ~~§ 201.~~

7 ~~(a) An individual may apply to become a registered voter:~~

8 ~~(1) at a local board office or the State Board office;~~

9 ~~(2) at a registration site administered by a local board;~~

10 ~~(3) by mail;~~

11 ~~(4) [when applying to the Motor Vehicle Administration for the issuance,~~  
 12 ~~renewal, or modification of a driver's license or identification card;~~

13 ~~(5)] when applying for services at a voter registration agency;~~

14 ~~[(6)] (5) through the State Board's online voter registration system; or~~

15 ~~[(7)] (6) with the assistance of a volunteer authorized by the State or local~~  
 16 ~~board.~~

17 ~~(b) An individual who is at least 18 years old or will be 18 years old on or before~~  
 18 ~~the day of the next succeeding general or special election may be a volunteer under~~  
 19 ~~subsection [(a)(7)] (A)(6) of this section.~~

20 ~~§ 202.~~

21 ~~(a) (4) (i) A statewide voter registration application shall be produced~~  
 22 ~~exclusively by the State Board.~~

23 ~~(ii) No other registration form may be used for registration purposes~~  
 24 ~~except:~~

25 ~~1. a voter registration application produced by a local board~~  
 26 ~~with the approval of the State Board;~~

27 ~~2. as provided in subsection (b) of this section;~~

28 ~~3. [as provided in § 203(b) of this subtitle;~~

~~4.] any other form prescribed by federal law for voter registration; or~~

~~[5.] 4. a federal write in absentee ballot if used by a voter authorized to vote a federal write in absentee ballot under federal law.~~

~~[3-203.~~

~~(a) The Motor Vehicle Administration shall provide the opportunity to apply to register to vote or update a voter registration record to each individual who:~~

~~(1) applies for or renews a driver's license or identification card; or~~

~~(2) changes a name or address on an existing driver's license or identification card.~~

~~(b) (1) The Motor Vehicle Administration shall inquire orally or in writing whether the applicant wishes to register to vote or update a voter registration record during the transactions specified under subsection (a) of this section.~~

~~(2) If the applicant chooses to register to vote or to update a voter registration record:~~

~~(i) all applicable information received by the Motor Vehicle Administration in the course of completing a transaction under subsection (a) of this section shall be transferred to a voter registration application;~~

~~(ii) any additional necessary information shall be obtained by the Motor Vehicle Administration and may not duplicate any information already obtained while completing a transaction under subsection (a) of this section; and~~

~~(iii) a voter registration application with all of the applicant's voter registration information shall be presented to the applicant to sign or affirm electronically.~~

~~(3) (i) An applicant may decline to register to vote, update the applicant's voter registration record, or change the applicant's name or address by:~~

~~1. affirmatively indicating as such on the application; or~~

~~2. failing to sign the voter registration application.~~

~~(ii) The Motor Vehicle Administration shall maintain declination information in a manner specified jointly by the Motor Vehicle Administration and the State Board.~~

~~(4) Within 5 days of the receipt of an application under subsection (a) of this section, the Motor Vehicle Administration shall forward to the State Board the voter~~

1 ~~registration information in a manner and format specified jointly by the Motor Vehicle~~  
 2 ~~Administration and the State Board.~~

3 ~~(e) (1) (i) In consultation with the Motor Vehicle Administration, the State~~  
 4 ~~Board shall prepare a voter registration application to be used for voter registration at the~~  
 5 ~~Motor Vehicle Administration.~~

6 ~~(ii) Except as provided in this section, the voter registration portion~~  
 7 ~~of the application may not require information that duplicates information required in the~~  
 8 ~~driver's license or identification card portion of the application.~~

9 ~~(2) The voter registration portion of the application shall:~~

10 ~~(i) contain the same information as the statewide voter registration~~  
 11 ~~application prescribed in § 3-202(a) of this subtitle; and~~

12 ~~(ii) require only the minimum amount of information necessary,~~  
 13 ~~including the applicant's telephone number;~~

14 ~~1. to prevent duplicate voter registration; and~~

15 ~~2. to enable the appropriate election official to assess the~~  
 16 ~~eligibility of an applicant and to administer voter registration and other aspects of the~~  
 17 ~~election process.~~

18 ~~(3) The application shall contain a box for the applicant to check, with the~~  
 19 ~~statement, "I do not wish to register to vote at this time".~~

20 ~~(d) The Motor Vehicle Administration shall follow the procedures established~~  
 21 ~~jointly by the Motor Vehicle Administration and the State Board to process the voter~~  
 22 ~~registration information received under this section.~~

23 ~~(e) Information relating to the failure of an applicant for a driver's license or~~  
 24 ~~identification card to register to vote may not be used for any purpose other than the~~  
 25 ~~maintenance of registration statistics.]~~

26 ~~3-203.~~

27 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~  
 28 ~~INDICATED:~~

29 ~~(2) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL WHO SATISFIES~~  
 30 ~~ALL THE QUALIFICATIONS TO BE A REGISTERED VOTER UNDER § 3-102 OF THIS~~  
 31 ~~TITLE.~~

32 ~~(3) "LOCAL DEPARTMENT OF SOCIAL SERVICES" INCLUDES THE:~~

1 ~~(I) LOCAL DEPARTMENTS OF SOCIAL SERVICES IN THE~~  
2 ~~DEPARTMENT OF HUMAN RESOURCES; AND~~

3 ~~(II) MONTGOMERY COUNTY DEPARTMENT OF HEALTH AND~~  
4 ~~HUMAN SERVICES.~~

5 ~~(4) "SOCIAL SERVICE AGENCY" MEANS THE:~~

6 ~~(I) LOCAL DEPARTMENTS OF SOCIAL SERVICES;~~

7 ~~(II) OFFICE OF MOBILITY CERTIFICATION IN THE MARYLAND~~  
8 ~~TRANSIT ADMINISTRATION; AND~~

9 ~~(III) MARYLAND HEALTH BENEFIT EXCHANGE.~~

10 ~~(B) (1) THE MOTOR VEHICLE ADMINISTRATION SHALL PROVIDE TO THE~~  
11 ~~STATE BOARD AN ELECTRONIC RECORD OF EACH INDIVIDUAL WHO:~~

12 ~~(I) HOLDS A DRIVER'S LICENSE OR IDENTIFICATION CARD;~~

13 ~~(II) IS AT LEAST 16 YEARS OF AGE; AND~~

14 ~~(III) IS A CITIZEN OF THE UNITED STATES.~~

15 ~~(2) A SOCIAL SERVICES AGENCY SHALL PROVIDE TO THE STATE~~  
16 ~~BOARD AN ELECTRONIC RECORD OF EACH INDIVIDUAL WHO:~~

17 ~~(I) RECEIVES SERVICE OR ASSISTANCE FROM THE SOCIAL~~  
18 ~~SERVICES AGENCY;~~

19 ~~(II) IS AT LEAST 16 YEARS OF AGE; AND~~

20 ~~(III) IS A CITIZEN OF THE UNITED STATES.~~

21 ~~(C) THE ELECTRONIC RECORD OF AN INDIVIDUAL THAT IS PROVIDED TO~~  
22 ~~THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE:~~

23 ~~(1) THE LEGAL NAME AND RESIDENCE ADDRESS OF THE INDIVIDUAL;~~

24 ~~(2) THE ELECTRONIC SIGNATURE OF THE INDIVIDUAL; AND~~

25 ~~(3) ANY OTHER INFORMATION REQUIRED BY THE STATE BOARD.~~



~~(D) THE STATE BOARD, MOTOR VEHICLE ADMINISTRATION, AND EACH SOCIAL SERVICES AGENCY SHALL JOINTLY ESTABLISH A SCHEDULE UNDER WHICH THE MOTOR VEHICLE ADMINISTRATION AND EACH SOCIAL SERVICES AGENCY SHALL PERIODICALLY TRANSFER TO THE STATE BOARD THE ELECTRONIC RECORDS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(E) THE STATE BOARD SHALL DETERMINE WHETHER EACH INDIVIDUAL WHOSE ELECTRONIC RECORD THE STATE BOARD RECEIVES UNDER SUBSECTION (B) OF THIS SECTION IS AN ELIGIBLE INDIVIDUAL.~~

~~(F) THE STATE BOARD SHALL PROVIDE THE ELECTRONIC RECORD OF EACH ELIGIBLE INDIVIDUAL TO THE LOCAL BOARD FOR THE COUNTY WHERE THE INDIVIDUAL RESIDES.~~

~~(G) THE LOCAL BOARD SHALL SEND A NOTICE, BY MAIL, TO EACH ELIGIBLE INDIVIDUAL THAT CONTAINS THE FOLLOWING INFORMATION:~~

~~(1) THAT THE INDIVIDUAL WILL BE REGISTERED TO VOTE UNLESS THE INDIVIDUAL DECLINES TO REGISTER TO VOTE WITHIN 21 DAYS AFTER THE ISSUANCE OF THE NOTICE;~~

~~(2) THAT A DECLINATION TO REGISTER TO VOTE MUST BE IN WRITING AND SENT TO THE LOCAL BOARD IN THE MANNER PRESCRIBED BY THE STATE BOARD BY REGULATION;~~

~~(3) THAT THE INDIVIDUAL MAY SELECT A POLITICAL PARTY AFFILIATION IN THE MANNER PRESCRIBED BY THE STATE BOARD BY REGULATION; AND~~

~~(4) THAT THE INDIVIDUAL'S VOTER REGISTRATION RECORD WILL BE SUBJECT TO PUBLIC DISCLOSURE FOR PURPOSES RELATED TO THE ELECTORAL PROCESS UNLESS REGULATIONS ADOPTED BY THE STATE BOARD AUTHORIZE THE INDIVIDUAL TO APPLY TO KEEP THE INDIVIDUAL'S RESIDENCE ADDRESS, TELEPHONE NUMBER, AND ELECTRONIC MAIL ADDRESS CONFIDENTIAL FOR SPECIFIED SAFETY OR PRIVACY REASONS.~~

~~(H) THE LOCAL BOARD SHALL PROMPTLY ADD TO THE STATEWIDE VOTER REGISTRATION LIST THE NAME OF EACH ELIGIBLE INDIVIDUAL WHO:~~

~~(1) DOES NOT DECLINE TO REGISTER TO VOTE WITHIN 21 DAYS AFTER ISSUANCE OF THE NOTICE REQUIRED UNDER SUBSECTION (G) OF THIS SECTION; AND~~

~~(2) IS NOT CURRENTLY REGISTERED TO VOTE.~~

~~(I) A LOCAL BOARD MAY NOT ADD AN ELIGIBLE INDIVIDUAL TO THE STATEWIDE VOTER REGISTRATION LIST UNDER SUBSECTION (H) OF THIS SECTION:~~

~~(1) UNLESS AT LEAST 21 DAYS HAS ELAPSED AFTER ISSUANCE OF THE NOTICE REQUIRED UNDER SUBSECTION (G) OF THIS SECTION; OR~~

~~(2) DURING THE PERIOD THAT REGISTRATION IS CLOSED UNDER § 3-302 OF THIS SUBTITLE.~~

~~(J) AN ELIGIBLE INDIVIDUAL WHO IS ADDED TO THE STATEWIDE VOTER REGISTRATION LIST UNDER SUBSECTION (H) OF THIS SECTION SHALL BE LISTED AS NOT AFFILIATED WITH ANY POLITICAL PARTY IF THE INDIVIDUAL HAS NOT AFFIRMATIVELY SELECTED A POLITICAL PARTY AFFILIATION.~~

~~(K) AFTER ADDING AN ELIGIBLE INDIVIDUAL TO THE STATEWIDE VOTER REGISTRATION LIST UNDER SUBSECTION (H) OF THIS SECTION, THE LOCAL BOARD SHALL SEND TO THE INDIVIDUAL THE VOTER NOTIFICATION CARD SPECIFIED UNDER § 3-301(C)(2) OF THIS SUBTITLE.~~

~~(L) THE STATE BOARD MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.~~

~~3-204.~~

~~(a) (1) The State Board shall designate public agencies and nongovernmental agencies as voter registration agencies where qualified individuals may apply to register to vote.~~

~~(2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE State Board shall designate the following offices as voter registration agencies:~~

~~(i) all offices in the State that provide public assistance;~~

~~(ii) all offices in the State that provide State funded programs primarily engaged in providing services to individuals with disabilities; and~~

~~(iii) all public institutions of higher education in the State.~~

~~(3) A SOCIAL SERVICES AGENCY SUBJECT TO § 3-203 OF THIS SUBTITLE:~~

~~(i) MAY NOT BE DESIGNATED A VOTER REGISTRATION AGENCY;~~  
~~AND~~

1 ~~(H) IS NOT SUBJECT TO THE REQUIREMENTS OF THIS SECTION.~~

2 ~~(4) The State Board and the Secretary of Defense shall jointly develop and~~  
3 ~~implement procedures for persons to apply to register to vote at recruitment offices of the~~  
4 ~~armed forces of the United States, which shall be deemed voter registration agencies.~~

5 ~~§ 301.~~

6 ~~(e) (2) (i) A voter notification card sent to a qualified applicant may serve~~  
7 ~~as a voter acknowledgment notice.~~

8 ~~(ii) 1. The voter notification card shall contain the name and~~  
9 ~~address of the voter, the date of issue, and the district or ward and precinct of the voter.~~

10 ~~2. The card is evidence that the individual to whom it is~~  
11 ~~issued is a registered voter on the date appearing on the card.~~

12 ~~3. The election director shall issue a replacement card on~~  
13 ~~request of the voter and a new card when a relevant change is made in the voter's~~  
14 ~~registration record if the voter continues to reside in the county.~~

15 ~~§ 302.~~

16 ~~(a) Except as provided under § 3 305 of this subtitle, registration is closed~~  
17 ~~beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that~~  
18 ~~election.~~

19 ~~(b) A voter registration application received when registration is closed shall be~~  
20 ~~accepted and retained by a local board, but the registration of the applicant does not become~~  
21 ~~effective until registration reopens.~~

22 ~~(c) A voter registration application that is received by the local board after the~~  
23 ~~close of registration shall be considered timely received for the next election provided:~~

24 ~~(1) there is sufficient evidence, as determined by the local board pursuant~~  
25 ~~to regulations adopted by the State Board, that the application was mailed on or before~~  
26 ~~registration was closed for that election; or~~

27 ~~(2) the application was submitted by the voter to [the Motor Vehicle~~  
28 ~~Administration,] a voter registration agency, another local board, or the State Board prior~~  
29 ~~to the close of registration.~~

30 ~~§ 303.~~

31 ~~(a) Notification of a change of party affiliation or a change to or from a decline~~  
32 ~~may be made:~~

1 ~~(1) by information provided on a voter registration application by the same~~  
 2 ~~methods provided for registration under Subtitle 2 of this title;~~

3 ~~(2) by written notice, signed by the voter and sent by mail or otherwise~~  
 4 ~~delivered to the local board in the county where the voter's current voter registration~~  
 5 ~~address is located or to which the voter has moved;~~

6 ~~(3) by making application in person at the office of the local board in the~~  
 7 ~~county where the voter's current voter registration address is located or to which the voter~~  
 8 ~~has moved; OR~~

9 ~~(4) by information on a voter authority card or other appropriate form filled~~  
 10 ~~out in a polling place]; or~~

11 ~~(5) by changing a name or address with the Motor Vehicle Administration];~~

12 ~~(b) Party affiliation changes or changes to or from a decline;~~

13 ~~(1) shall be processed at any time that registration is open; and~~

14 ~~(2) except as provided in subsection (c) of this section, may not be processed~~  
 15 ~~when registration is closed.~~

16 ~~(c) If a local board receives a request for a party affiliation change after the close~~  
 17 ~~of registration, the local board shall make the change and it shall become effective for the~~  
 18 ~~next election provided:~~

19 ~~(1) there is sufficient evidence, as determined by the local boards pursuant~~  
 20 ~~to regulations adopted by the State Board, that the request was mailed on or before the~~  
 21 ~~close of registration for that election; or~~

22 ~~(2) the request was submitted by the voter to [the Motor Vehicle~~  
 23 ~~Administration,] a voter registration agency, another local board, or the State Board on or~~  
 24 ~~before the close of registration for that election.~~

25 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~  
 26 ~~October 1, 2016.~~

27 1-101.

28 (B-1) "ADDRESS CONFIDENTIALITY PROGRAM" MEANS:

29 (1) THE ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF  
 30 DOMESTIC VIOLENCE UNDER TITLE 4, SUBTITLE 5, PART IV OF THE FAMILY LAW  
 31 ARTICLE; OR

1                   **(2) THE HUMAN TRAFFICKING ADDRESS CONFIDENTIALITY**  
2 **PROGRAM UNDER TITLE 7, SUBTITLE 3 OF THE STATE GOVERNMENT ARTICLE.**

3           (y) “Electronic signature” means an electronic sound, symbol, or process attached  
4 to or logically associated with a record and executed or adopted by a person with the intent  
5 to sign the record.

6 3–102.

7           (a) (1) Except as provided in subsection (b) of this section, an individual may  
8 become registered to vote if the individual:

9                           (i) is a citizen of the United States;

10                          (ii) is at least 16 years old;

11                          (iii) is a resident of the State as of the day the individual seeks to  
12 register; and

13                          (iv) registers pursuant to this title.

14                   (2) Notwithstanding paragraph (1)(ii) of this subsection, an individual  
15 under the age of 18 years:

16                           (i) may vote in a primary election in which candidates are  
17 nominated for a general or special election that will occur when the individual is at least  
18 18 years old; and

19                           (ii) may not vote in any other election.

20           (b) An individual is not qualified to be a registered voter if the individual:

21                           (1) has been convicted of a felony and is currently serving a court–ordered  
22 sentence of imprisonment for the conviction;

23                           (2) is under guardianship for mental disability and a court of competent  
24 jurisdiction has specifically found by clear and convincing evidence that the individual  
25 cannot communicate, with or without accommodations, a desire to participate in the voting  
26 process; or

27                           (3) has been convicted of buying or selling votes.

28 [3–203.

29           (a) The Motor Vehicle Administration shall provide the opportunity to apply to  
30 register to vote or update a voter registration record to each individual who:

1           (1)   applies for or renews a driver's license or identification card; or

2           (2)   changes a name or address on an existing driver's license or  
3 identification card.

4           (b)   (1)   The Motor Vehicle Administration shall inquire orally or in writing  
5 whether the applicant wishes to register to vote or update a voter registration record during  
6 the transactions specified under subsection (a) of this section.

7           (2)   If the applicant chooses to register to vote or to update a voter  
8 registration record:

9                   (i)   all applicable information received by the Motor Vehicle  
10 Administration in the course of completing a transaction under subsection (a) of this section  
11 shall be transferred to a voter registration application;

12                   (ii)   any additional necessary information shall be obtained by the  
13 Motor Vehicle Administration and may not duplicate any information already obtained  
14 while completing a transaction under subsection (a) of this section; and

15                   (iii)   a voter registration application with all of the applicant's voter  
16 registration information shall be presented to the applicant to sign or affirm electronically.

17           (3)   (i)   An applicant may decline to register to vote, update the  
18 applicant's voter registration record, or change the applicant's name or address by:

19                           1.   affirmatively indicating as such on the application; or

20                           2.   failing to sign the voter registration application.

21                   (ii)   The Motor Vehicle Administration shall maintain declination  
22 information in a manner specified jointly by the Motor Vehicle Administration and the  
23 State Board.

24           (4)   Within 5 days of the receipt of an application under subsection (a) of  
25 this section, the Motor Vehicle Administration shall forward to the State Board the voter  
26 registration information in a manner and format specified jointly by the Motor Vehicle  
27 Administration and the State Board.

28           (c)   (1)   (i)   In consultation with the Motor Vehicle Administration, the State  
29 Board shall prepare a voter registration application to be used for voter registration at the  
30 Motor Vehicle Administration.

31                   (ii)   Except as provided in this section, the voter registration portion  
32 of the application may not require information that duplicates information required in the  
33 driver's license or identification card portion of the application.

1           (2)    The voter registration portion of the application shall:

2                   (i)    contain the same information as the statewide voter registration  
3 application prescribed in § 3-202(a) of this subtitle; and

4                   (ii) require only the minimum amount of information necessary,  
5 including the applicant's telephone number:

6                           1.    to prevent duplicate voter registration; and

7                           2.    to enable the appropriate election official to assess the  
8 eligibility of an applicant and to administer voter registration and other aspects of the  
9 election process.

10           (3)    The application shall contain a box for the applicant to check, with the  
11 statement, "I do not wish to register to vote at this time".

12           (d)    The Motor Vehicle Administration shall follow the procedures established  
13 jointly by the Motor Vehicle Administration and the State Board to process the voter  
14 registration information received under this section.

15           (e)    Information relating to the failure of an applicant for a driver's license or  
16 identification card to register to vote may not be used for any purpose other than the  
17 maintenance of registration statistics.]

18    **3-203.**

19           (A)    (1)    **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
20 **INDICATED.**

21                   (2)    (1)    **"APPLICABLE TRANSACTION" MEANS:**

22                           1.    **AT THE MOTOR VEHICLE ADMINISTRATION, AN**  
23 **INITIAL APPLICATION FOR OR RENEWAL OF A DRIVER'S LICENSE OR**  
24 **IDENTIFICATION CARD, OR A CHANGE OF NAME OR ADDRESS ON AN EXISTING**  
25 **DRIVER'S LICENSE OR IDENTIFICATION CARD, OR ANY OTHER TRANSACTION IN**  
26 **WHICH THE MOTOR VEHICLE ADMINISTRATION OBTAINS ALL OF THE INFORMATION**  
27 **FROM AN APPLICANT THAT SATISFIES THE REQUIREMENTS TO REGISTER TO VOTE;**

28                           2.    **AT THE MARYLAND HEALTH BENEFIT EXCHANGE,**  
29 **ANY APPLICATION FOR OR RENEWAL OF HEALTH INSURANCE COVERAGE;**

30                           3.    **AT A LOCAL DEPARTMENT OF SOCIAL SERVICES, AN**  
31 **INITIAL APPLICATION FOR A STATE OR FEDERALLY FUNDED PUBLIC ASSISTANCE**  
32 **PROGRAM OR AN APPLICATION FOR A RECERTIFICATION, RENEWAL, OR CHANGE OF**

1 NAME OR ADDRESS RELATING TO A STATE OR FEDERALLY FUNDED PUBLIC  
2 ASSISTANCE PROGRAM; OR

3 4. AT THE MOBILITY CERTIFICATION OFFICE IN THE  
4 MARYLAND TRANSIT ADMINISTRATION, AN INITIAL APPLICATION FOR  
5 PARATRANSIT SERVICE OR AN APPLICATION FOR RECERTIFICATION FOR  
6 PARATRANSIT SERVICE.

7 (II) "APPLICABLE TRANSACTION" INCLUDES ANY  
8 TRANSACTION DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT IS  
9 COMPLETED ONLINE.

10 (3) "ELECTRONIC VOTER REGISTRATION AGENCY" MEANS:

11 (I) THE MOTOR VEHICLE ADMINISTRATION;

12 (II) THE MARYLAND HEALTH BENEFIT EXCHANGE;

13 (III) LOCAL DEPARTMENTS OF SOCIAL SERVICES; AND

14 (IV) THE MOBILITY CERTIFICATION OFFICE IN THE MARYLAND  
15 TRANSIT ADMINISTRATION.

16 (4) "ELECTRONIC VOTER REGISTRATION SYSTEM" MEANS A SYSTEM  
17 THAT, AS AN INTEGRAL PART OF EACH APPLICABLE TRANSACTION AT AN  
18 ELECTRONIC VOTER REGISTRATION AGENCY:

19 (I) OFFERS AN APPLICANT THE OPPORTUNITY TO REGISTER TO  
20 VOTE OR UPDATE A VOTER REGISTRATION RECORD;

21 (II) INFORMS AN APPLICANT:

22 1. OF THE QUALIFICATIONS TO REGISTER TO VOTE  
23 UNDER § 3-102 OF THIS TITLE;

24 2. THAT THE APPLICANT SHOULD NOT REGISTER IF THE  
25 APPLICANT DOES NOT MEET ALL THE QUALIFICATIONS;

26 3. OF THE PENALTIES FOR THE SUBMISSION OF A FALSE  
27 APPLICATION; AND

28 4. THAT VOTER REGISTRATION IS VOLUNTARY AND THAT  
29 NEITHER REGISTERING NOR DECLINING TO REGISTER TO VOTE WILL IN ANY WAY  
30 AFFECT THE AVAILABILITY OF SERVICES OR BENEFITS;



1           **(III) REQUIRES THE ELECTRONIC SIGNATURE OF THE**  
2 **APPLICANT, SUBJECT TO THE PENALTIES FOR PERJURY, BY WHICH THE APPLICANT**  
3 **ATTESTS THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION**  
4 **APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL THE QUALIFICATIONS**  
5 **TO BECOME A REGISTERED VOTER, INCLUDING UNITED STATES CITIZENSHIP; AND**

6           **(IV) ELECTRONICALLY TRANSMITS THE VOTER REGISTRATION**  
7 **INFORMATION OF THE APPLICANT DIRECTLY TO THE STATE BOARD:**

8                   **1. IN A MANNER AND FORMAT SPECIFIED JOINTLY BY**  
9 **THE ELECTRONIC VOTER REGISTRATION AGENCY AND THE STATE BOARD; AND**

10                   **2. WITHIN 5 DAYS OF THE APPLICABLE TRANSACTION.**

11           **(5) "LOCAL DEPARTMENT OF SOCIAL SERVICES" MEANS:**

12                   **(I) THE LOCAL DEPARTMENTS OF SOCIAL SERVICES IN THE**  
13 **DEPARTMENT OF HUMAN RESOURCES; AND**

14                   **(II) THE MONTGOMERY COUNTY DEPARTMENT OF HEALTH**  
15 **AND HUMAN SERVICES.**

16           **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**  
17 **AN ELECTRONIC VOTER REGISTRATION AGENCY SHALL IMPLEMENT AN**  
18 **ELECTRONIC VOTER REGISTRATION SYSTEM ON OR BEFORE JULY 1, 2017.**

19                   **(2) A LOCAL DEPARTMENT OF SOCIAL SERVICES SHALL IMPLEMENT**  
20 **AN ELECTRONIC VOTER REGISTRATION SYSTEM ON OR BEFORE DECEMBER 1, 2019.**

21           **(C) AN ELECTRONIC VOTER REGISTRATION SYSTEM:**

22                   **(1) MAY NOT REQUIRE ANY INFORMATION THAT DUPLICATES THE**  
23 **INFORMATION REQUIRED TO COMPLETE AN APPLICABLE TRANSACTION;**

24                   **(2) SHALL REQUIRE ONLY THE MINIMUM AMOUNT OF INFORMATION**  
25 **NECESSARY FOR BOTH AN APPLICABLE TRANSACTION AND A VOTER REGISTRATION**  
26 **TO:**

27                   **(I) PREVENT DUPLICATE VOTER REGISTRATION; AND**

28                   **(II) ENABLE ELECTION OFFICIALS TO REVIEW THE ELIGIBILITY**  
29 **OF AN APPLICANT AND TO ADMINISTER VOTER REGISTRATION AND OTHER ASPECTS**  
30 **OF THE ELECTION PROCESS; AND**

1           **(3) SHALL INFORM AN APPLICANT THAT IF THE APPLICANT DOES NOT**  
2 **SELECT A POLITICAL PARTY AFFILIATION, THE INDIVIDUAL WILL BE DESIGNATED**  
3 **AS NOT AFFILIATED WITH A POLITICAL PARTY AND WILL BE UNABLE TO VOTE IN A**  
4 **PARTY PRIMARY ELECTION.**

5           **(D) AN AGENT OF AN ELECTRONIC VOTER REGISTRATION AGENCY WHO IS**  
6 **RESPONSIBLE FOR CARRYING OUT THE REQUIREMENTS OF THIS SECTION MAY NOT:**

7           **(1) SEEK TO INFLUENCE AN APPLICANT'S POLITICAL PREFERENCE**  
8 **OR PARTY REGISTRATION;**

9           **(2) DISPLAY ANY POLITICAL PREFERENCE OR PARTY ALLEGIANCE;**  
10 **OR**

11           **(3) MAKE ANY STATEMENT TO AN APPLICANT OR TAKE ANY ACTION**  
12 **THE PURPOSE OR EFFECT OF WHICH IS TO:**

13           **(I) DISCOURAGE THE APPLICANT FROM REGISTERING TO**  
14 **VOTE; OR**

15           **(II) LEAD THE APPLICANT TO BELIEVE THAT A DECISION TO**  
16 **REGISTER OR NOT TO REGISTER HAS ANY BEARING ON THE AVAILABILITY OF**  
17 **SERVICES OR BENEFITS.**

18           **(E) THE STATE BOARD SHALL ENSURE THAT EACH INDIVIDUAL WHOSE**  
19 **VOTER REGISTRATION INFORMATION IS TRANSMITTED TO THE STATE BOARD**  
20 **THROUGH AN ELECTRONIC VOTER REGISTRATION SYSTEM IS PROMPTLY**  
21 **REGISTERED TO VOTE.**

22           **(F) INFORMATION RELATING TO THE DECISION OF AN APPLICANT AT AN**  
23 **ELECTRONIC VOTER REGISTRATION AGENCY TO DECLINE TO REGISTER TO VOTE**  
24 **MAY NOT BE USED FOR ANY PURPOSE OTHER THAN THE MAINTENANCE OF**  
25 **REGISTRATION STATISTICS.**

26           **(G) NOTWITHSTANDING § 3-501 OF THIS TITLE AND § 4-401 OF THE**  
27 **GENERAL PROVISIONS ARTICLE, THE IDENTITY OF AN ELECTRONIC VOTER**  
28 **REGISTRATION AGENCY THROUGH WHICH A PARTICULAR VOTER HAS REGISTERED**  
29 **MAY NOT BE DISCLOSED TO THE PUBLIC.**

30           **(H) THE STATE BOARD MAY ADOPT REGULATIONS AS NECESSARY TO**  
31 **IMPLEMENT THIS SECTION.**

32           **(I) (1) EACH ELECTRONIC VOTER REGISTRATION AGENCY SHALL:**

1           (I) ON OR BEFORE JANUARY 1, 2017, SUBMIT A REPORT, IN  
2 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE  
3 SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND  
4 THE HOUSE COMMITTEE ON WAYS AND MEANS THAT DESCRIBES:

5           1. THE EFFORTS OF THE ELECTRONIC VOTER  
6 REGISTRATION AGENCY TO REGISTER VOTERS IN THE PRECEDING CALENDAR YEAR;  
7 AND

8           2. THE STATUS OF THE IMPLEMENTATION OF AN  
9 ELECTRONIC VOTER REGISTRATION SYSTEM; AND

10           (II) ON OR BEFORE JANUARY 1, 2018, AND JANUARY 1 EACH  
11 SUBSEQUENT YEAR, SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE  
12 STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND  
13 ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS  
14 AND MEANS THAT DESCRIBES:

15           1. THE NUMBER OF INDIVIDUALS WHO COMPLETED AN  
16 APPLICABLE TRANSACTION IN THE PRECEDING CALENDAR YEAR AT THE  
17 ELECTRONIC VOTER REGISTRATION AGENCY AND THE NUMBER OF THOSE  
18 INDIVIDUALS WHO REGISTERED TO VOTE OR UPDATED A VOTER REGISTRATION  
19 RECORD; AND

20           2. ANY EFFORTS THE ELECTRONIC VOTER  
21 REGISTRATION AGENCY PLANS TO MAKE TO IMPROVE THE EFFICIENCY AND  
22 EFFECTIVENESS OF THE VOTER REGISTRATION PROCESS AT THE AGENCY.

23           (2) THE DEPARTMENT OF HUMAN RESOURCES SHALL CONSOLIDATE  
24 AND SUBMIT THE REPORTS REQUIRED UNDER PARAGRAPH (1)(I) AND (II) OF THIS  
25 SUBSECTION AS A SINGLE DOCUMENT ON BEHALF OF ALL THE LOCAL DEPARTMENTS  
26 OF SOCIAL SERVICES.

27 3-204.

28           (a) (1) The State Board shall designate public agencies and nongovernmental  
29 agencies as voter registration agencies where qualified individuals may apply to register to  
30 vote.

31           (2) The State Board shall designate the following offices as voter  
32 registration agencies:

33           (i) all offices in the State that provide public assistance;

1           (ii) all offices in the State that provide State-funded programs  
2 primarily engaged in providing services to individuals with disabilities; and

3           (iii) all public institutions of higher education in the State.

4           (3) The State Board and the Secretary of Defense shall jointly develop and  
5 implement procedures for persons to apply to register to vote at recruitment offices of the  
6 armed forces of the United States, which shall be deemed voter registration agencies.

7           **(A-1) A VOTER REGISTRATION AGENCY THAT IS SUBJECT TO THE**  
8 **REQUIREMENTS OF § 3-203 OF THIS SUBTITLE:**

9           **(1) SHALL CONDUCT VOTER REGISTRATION IN THE MANNER**  
10 **SPECIFIED IN § 3-203 OF THIS SUBTITLE; AND**

11           **(2) IS NOT SUBJECT TO THE REQUIREMENTS OF THIS SECTION.**

12           (b) Except for a public institution of higher education in the State, which  
13 institution shall comply with the requirements of subsection (c) of this section, each voter  
14 registration agency, as provided in subsection (a)(2) and (3) of this section, shall:

15           (1) distribute a voter registration application approved by the State Board  
16 or the Federal Election Commission with each application for service or assistance it  
17 renders and with each recertification, renewal, or change of address form relating to such  
18 service or assistance;

19           (2) provide a document to prospective registrants that includes:

20           (i) the question, “If you are not registered to vote where you live  
21 now, would you like to apply to register to vote here today?”;

22           (ii) if the agency provides public assistance, the statement,  
23 “Applying to register or declining to register to vote will not affect the amount of assistance  
24 that you will be provided by this agency.”;

25           (iii) boxes for the applicant to check to indicate whether the applicant  
26 would like to register or declines to register to vote together with the statement (in close  
27 proximity to the boxes and in prominent type), “If you do not check either box, you will be  
28 considered to have decided not to register to vote at this time.”;

29           (iv) the statement, “If you would like help in filling out the voter  
30 registration application form, we will help you. The decision whether to seek or accept help  
31 is yours. You may fill out the application form in private.”;

32           (v) the statement, “If you believe that someone has interfered with  
33 your right to register or to decline to register to vote, your right to privacy in deciding  
34 whether to register or in applying to register to vote, or your right to choose your own

1 political party or other political preference, you may file a complaint with the State Board  
 2 of Elections.”; and

3 (vi) the address and toll free telephone number of the State Board;

4 (3) provide each applicant who does not decline to register to vote and who  
 5 accepts assistance the same degree of assistance with regard to completion of the  
 6 registration application as is provided by the office with regard to the completion of its own  
 7 applications, unless the applicant refuses such assistance; [and]

8 (4) ENSURE THAT EACH APPLICATION FOR SERVICE OR ASSISTANCE  
 9 FROM THE AGENCY AND EACH RECERTIFICATION, RENEWAL, OR CHANGE OF  
 10 ADDRESS FORM RELATING TO THE SERVICE OR ASSISTANCE MAY NOT BE  
 11 COMPLETED UNTIL THE APPLICANT HAS INDICATED WHETHER THE APPLICANT  
 12 WISHES TO REGISTER TO VOTE AND IS INFORMED THAT IF THE APPLICANT DOES NOT  
 13 SELECT A POLITICAL PARTY AFFILIATION, THE INDIVIDUAL WILL BE DESIGNATED  
 14 AS NOT AFFILIATED WITH A POLITICAL PARTY AND WILL BE UNABLE TO VOTE IN A  
 15 PARTY PRIMARY ELECTION; AND

16 [(4)](5) accept the completed voter registration application for  
 17 transmittal to the appropriate election board.

18 [(c) At the time that an individual enrolls, registers, or pays for course work  
 19 provided by a public institution of higher education in the State, the institution shall  
 20 provide the individual with an opportunity to request a voter registration application. If  
 21 the individual requests a voter registration application, the institution shall provide, or  
 22 cause to be provided, an application to the individual.]

23 (C) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE  
 24 MEANINGS INDICATED.

25 (II) “COMMISSION” MEANS THE MARYLAND HIGHER  
 26 EDUCATION COMMISSION.

27 (III) “INSTITUTION OF HIGHER EDUCATION” HAS THE MEANING  
 28 STATED IN § 10–101(H) OF THE EDUCATION ARTICLE.

29 (2) (I) ON OR BEFORE JULY 1, 2017, A PUBLIC INSTITUTION OF  
 30 HIGHER EDUCATION SHALL PROVIDE A LINK TO THE ONLINE VOTER REGISTRATION  
 31 SYSTEM ON THE HOME PAGE OF THE ONLINE PORTAL USED BY STUDENTS TO  
 32 REGISTER FOR COURSE WORK.

33 (II) THE LINK TO THE ONLINE VOTER REGISTRATION SYSTEM  
 34 SHALL BE PROMINENTLY PLACED ON THE HOME PAGE IN A LOCATION WHERE IT MAY  
 35 BE EASILY VIEWED BY STUDENTS REGISTERING FOR COURSE WORK.

1           **(3) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL:**

2                   **(I) ON OR BEFORE JANUARY 1, 2018, SUBMIT A REPORT TO THE**  
3 **COMMISSION THAT INCLUDES:**

4                           **1. THE EFFORTS OF THE PUBLIC INSTITUTION OF**  
5 **HIGHER EDUCATION TO REGISTER VOTERS IN THE PRECEDING CALENDAR YEAR;**

6                           **2. A SCREEN SHOT OF THE HOME PAGE OF THE ONLINE**  
7 **PORTAL USED BY STUDENTS TO REGISTER FOR COURSE WORK THAT INCLUDES THE**  
8 **LINK REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION;**

9                           **3. THE NUMBER OF STUDENTS WHO ARE RESIDENTS OF**  
10 **THE STATE AND REGISTERED FOR COURSE WORK IN THE PRECEDING 18 MONTHS AT**  
11 **THE PUBLIC INSTITUTION OF HIGHER EDUCATION AND THE NUMBER OF THOSE**  
12 **STUDENTS WHO CLICKED ON THE LINK REQUIRED UNDER PARAGRAPH (2) OF THIS**  
13 **SUBSECTION; AND**

14                           **4. ANY OTHER EFFORTS THE PUBLIC INSTITUTION OF**  
15 **HIGHER EDUCATION PLANS TO MAKE TO IMPROVE ACCESS TO VOTER REGISTRATION**  
16 **FOR STUDENTS AT THE INSTITUTION; AND**

17                   **(II) ON OR BEFORE JANUARY 1, 2019, AND JANUARY 1 EACH**  
18 **SUBSEQUENT YEAR, SUBMIT A REPORT TO THE COMMISSION THAT DESCRIBES:**

19                           **1. THE NUMBER OF STUDENTS WHO ARE RESIDENTS OF**  
20 **THE STATE AND REGISTERED FOR COURSE WORK IN THE PRECEDING CALENDAR**  
21 **YEAR AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION AND THE NUMBER OF**  
22 **THOSE STUDENTS WHO CLICKED ON THE LINK REQUIRED UNDER PARAGRAPH (2) OF**  
23 **THIS SUBSECTION; AND**

24                           **2. ANY EFFORTS THE PUBLIC INSTITUTION OF HIGHER**  
25 **EDUCATION PLANS TO MAKE TO IMPROVE ACCESS TO VOTER REGISTRATION FOR**  
26 **STUDENTS AT THE INSTITUTION.**

27           **(4) THE COMMISSION SHALL COMPILE AND SUMMARIZE THE**  
28 **INFORMATION REPORTED BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION:**

29                   **(I) UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION, IN A**  
30 **SINGLE REPORT THAT THE COMMISSION SHALL SUBMIT ON OR BEFORE JANUARY**  
31 **15, 2018, TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS**  
32 **COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE**  
33 **WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE; AND**

1           (II) UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, IN A  
2 SINGLE REPORT THAT THE COMMISSION SHALL SUBMIT ON OR BEFORE JANUARY  
3 15, 2019, AND JANUARY 15 EACH SUBSEQUENT YEAR TO THE SENATE EDUCATION,  
4 HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE  
5 COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1246 OF THE STATE  
6 GOVERNMENT ARTICLE.

7           (d) An applicant may mail the voter registration application to the appropriate  
8 State election official or return it to the voter registration agency for transmittal to the  
9 appropriate election official.

10          (e) Within 5 days from the acceptance of a voter registration application, the voter  
11 registration agency shall forward the application to the appropriate State election official.

12          (f) (1) An applicant registering to vote at a voter registration agency may  
13 affirmatively consent to the use of [an] THE INDIVIDUAL'S electronic [copy of the  
14 individual's] signature that is on file with the voter registration agency as the individual's  
15 signature for the application being submitted.

16          (2) If an applicant signs a voter registration application as provided in  
17 paragraph (1) of this subsection, the voter registration agency shall transmit an electronic  
18 copy of the applicant's signature to the State Board within 5 days after the day on which  
19 the agency accepted the application.

20          (g) If a voter registration agency is an office described in subsection (a)(2)(ii) of  
21 this section, which provides services to an individual with a disability at the individual's  
22 home, the agency shall provide the services described in subsection (b) of this section at the  
23 individual's home.

24          (h) (1) An individual who provides any service described in subsection (b) of  
25 this section may not:

26                   (i) seek to influence an applicant's political preference or party  
27 registration;

28                   (ii) display any political preference or party allegiance; or

29                   (iii) make any statement to an applicant or take any action the  
30 purpose or effect of which is to lead the applicant to believe that a decision to register or  
31 not to register has any bearing on the availability of services or benefits.

32          (2) No information relating to a declination to register to vote in connection  
33 with an application made at an office designated as a voter registration agency may be used  
34 for any purpose other than the maintenance of voter registration statistics.

1           (3) Notwithstanding § 3-501 of this title and § 4-401 of the General  
2 Provisions Article, the identity of a voter registration agency through which a particular  
3 voter has registered may not be disclosed to the public.

4           (i) Regulations necessary to carry out the requirements of this section and §  
5 3-203 of this subtitle, including provisions for training the employees of voter registration  
6 agencies and the Motor Vehicle Administration, shall be adopted by the State Board in  
7 cooperation with each agency.

8 **3-204.2.**

9           **(A) THE STATE BOARD AND THE DEPARTMENT OF NATURAL RESOURCES**  
10 **SHALL JOINTLY DEVELOP AND IMPLEMENT PROCEDURES FOR INDIVIDUALS WHO**  
11 **APPLY FOR THE ISSUANCE OR RENEWAL OF A LICENSE, PERMIT, OR CERTIFICATE**  
12 **ONLINE TO BE OFFERED THE OPPORTUNITY TO REGISTER TO VOTE THROUGH A LINK**  
13 **TO THE ONLINE VOTER REGISTRATION SYSTEM.**

14           **(B) THE STATE BOARD AND THE DEPARTMENT OF LABOR, LICENSING, AND**  
15 **REGULATION SHALL JOINTLY DEVELOP AND IMPLEMENT PROCEDURES FOR**  
16 **INDIVIDUALS WHO USE THE MARYLAND WORKFORCE EXCHANGE WEB SITE TO BE**  
17 **OFFERED THE OPPORTUNITY TO REGISTER TO VOTE THROUGH A LINK TO THE**  
18 **ONLINE VOTER REGISTRATION SYSTEM.**

19           **(C) THE STATE BOARD AND THE DEPARTMENT OF VETERANS AFFAIRS**  
20 **SHALL JOINTLY DEVELOP AND IMPLEMENT PROCEDURES FOR INDIVIDUALS WHO**  
21 **USE THE DEPARTMENT OF VETERANS AFFAIRS WEB SITE OR WHO ARE CONTACTED**  
22 **BY THE DEPARTMENT'S OUTREACH AND ADVOCACY PROGRAM TO BE OFFERED THE**  
23 **OPPORTUNITY TO REGISTER TO VOTE THROUGH A LINK TO THE ONLINE VOTER**  
24 **REGISTRATION SYSTEM.**

25           **(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**  
26 **MEANINGS INDICATED.**

27                           **(II) "APPLICABLE TRANSACTION" MEANS AN ONLINE**  
28 **APPLICATION FOR A STATE OR FEDERALLY FUNDED PUBLIC ASSISTANCE PROGRAM**  
29 **OR AN ONLINE APPLICATION FOR A RECERTIFICATION, RENEWAL, OR CHANGE OF**  
30 **NAME OR ADDRESS RELATING TO A STATE OR FEDERALLY FUNDED PUBLIC**  
31 **ASSISTANCE PROGRAM.**

32                           **(III) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN**  
33 **RESOURCES.**

34                           **(IV) "ELECTRONIC PORTAL" MEANS THE DEPARTMENT'S**  
35 **ONLINE SYSTEM, KNOWN AS MYDHR, THROUGH WHICH AN INDIVIDUAL MAY**  
36 **COMPLETE AN APPLICABLE TRANSACTION.**



1           **(2) THE STATE BOARD AND THE DEPARTMENT SHALL JOINTLY**  
2 **DEVELOP AND IMPLEMENT PROCEDURES FOR INDIVIDUALS WHO USE THE**  
3 **DEPARTMENT'S ELECTRONIC PORTAL TO COMPLETE AN APPLICABLE TRANSACTION**  
4 **TO BE OFFERED THE OPPORTUNITY TO REGISTER TO VOTE THROUGH A LINK TO THE**  
5 **ONLINE VOTER REGISTRATION SYSTEM.**

6 3-506.

7           (a) (1) A copy of a list of registered voters shall be provided to a Maryland  
8 registered voter on receipt of:

9                           (i) a written application; and

10                          (ii) a statement, signed under oath, that the list is not intended to be  
11 used for:

12                                   1. commercial solicitation; or

13                                   2. any other purpose not related to the electoral process.

14                   (2) In consultation with the local boards, the State Board shall adopt  
15 regulations that specify:

16                           (i) the time for a list to be provided under this subsection;

17                           (ii) the authorization to be required for providing a list;

18                           (iii) the fee to be paid for providing a list;

19                           (iv) the information to be included on a list;

20                   **(V) THAT THE RESIDENCE ADDRESS OF AN INDIVIDUAL WHO IS**  
21 **A PARTICIPANT IN AN ADDRESS CONFIDENTIALITY PROGRAM MAY NOT BE**  
22 **DISCLOSED;**

23                   **(VI) THAT A PARTICIPANT IN AN ADDRESS CONFIDENTIALITY**  
24 **PROGRAM IS NOT REQUIRED TO APPLY TO THE STATE BOARD TO KEEP THE**  
25 **INDIVIDUAL'S RESIDENCE ADDRESS CONFIDENTIAL;**

26                           [(v)] **(VII)** the format of the information; and

27                           [(vi)] **(VIII)** the medium or media on which the information is to be  
28 provided.



1           (a)   (2)   The State Board shall designate the following offices as voter  
2 registration agencies:

3                   (i)   all offices in the State that provide public assistance;

4                   (ii) all offices in the State that provide State-funded programs  
5 primarily engaged in providing services to individuals with disabilities; [and]

6                   (iii) all public institutions of higher education in the State; AND

7                   (IV) ALL ONE-STOP CAREER CENTERS IN THE DEPARTMENT OF  
8 LABOR, LICENSING, AND REGULATION.

9           (J)   ON OR BEFORE JANUARY 1, 2018, AND JANUARY 1 EACH SUBSEQUENT  
10 YEAR, THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL SUBMIT  
11 A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,  
12 TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS  
13 COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE THAT DESCRIBES:

14                   (1)   THE EFFORTS OF THE ONE-STOP CAREER CENTERS TO REGISTER  
15 VOTERS UNDER THIS SECTION IN THE PRECEDING CALENDAR YEAR; AND

16                   (2)   ANY EFFORTS THE DEPARTMENT PLANS TO MAKE TO IMPROVE  
17 THE EFFICIENCY AND EFFECTIVENESS OF THE VOTER REGISTRATION PROCESS AT  
18 THE ONE-STOP CAREER CENTERS.

19           SECTION 3. AND BE IT FURTHER ENACTED, That:

20           (a)   Each agency with responsibility for carrying out this Act shall designate an  
21 employee to act as the agency's voter registration coordinator.

22           (b)   Each voter registration coordinator shall complete an annual training  
23 program conducted by the State Board of Elections concerning the requirements of this Act.

24           (c)   Each voter registration coordinator shall oversee an annual training program  
25 concerning the requirements of this Act for all employees of the coordinator's agency with  
26 responsibility for carrying out this Act.

27           SECTION 4. AND BE IT FURTHER ENACTED, That, on or before August 1, 2016,  
28 the Attorney General shall request a determination letter from the United States  
29 Department of Labor confirming that federal law does not preclude the Department of  
30 Labor, Licensing, and Regulation from utilizing federal or State funds to conduct voter  
31 registration in accordance with § 3-204 of the Election Law Article, as enacted by Section  
32 2 of this Act.

1        SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
2 effect contingent on the receipt by the Attorney General of Maryland of a favorable  
3 determination letter from the United States Department of Labor confirming that federal  
4 law does not preclude the Department of Labor, Licensing, and Regulation from utilizing  
5 federal or State funds to conduct voter registration in accordance with § 3-204 of the  
6 Election Law Article as enacted by Section 2 of this Act. If a favorable determination letter  
7 is received on or before July 1, 2017, Section 2 of this Act shall take effect on the date notice  
8 of the letter is received by the Department of Legislative Services in accordance with this  
9 section. If the Attorney General does not receive a favorable determination letter on or  
10 before July 1, 2017, Section 2 of this Act shall be null and void and of no further force and  
11 effect. The Attorney General, within 5 days after receiving the determination letter from  
12 the United States Department of Labor, shall forward a copy of the letter to the Department  
13 of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.

14        SECTION 6. AND BE IT FURTHER ENACTED, That, on or before August 1, 2016,  
15 the Attorney General shall request a determination letter from the Internal Revenue  
16 Service confirming that federal law does not preclude the Comptroller from engaging with  
17 the State Board of Elections for purposes of voter registration, including the sharing of  
18 information with the State Board that would allow for the identification of individuals who  
19 filed a Maryland resident individual income tax return and are not registered to vote.

20        SECTION 7. AND BE IT FURTHER ENACTED, That:

21        (a) On or before October 1, 2017, the Department of Information Technology and  
22 the State Board of Elections shall complete a study of voter registration at agencies in the  
23 Executive Branch of the State. The study shall:

24            (1) identify and assess the readiness and time frame within which the  
25 agencies that currently offer paper-based voter registration services to eligible State  
26 citizens might transition to an electronic system of voter registration;

27            (2) identify additional agencies for which it would be beneficial to the  
28 public to include a link on the agency's Web site to the online voter registration system at  
29 the State Board of Elections;

30            (3) identify additional agencies for which it would be beneficial to the  
31 public to be designated as voter registration agencies that provide paper-based or  
32 electronic voter registration services; and

33            (4) assess how all agencies entrusted with providing electronic or  
34 paper-based voter registration services for citizens of the State maintain and ensure the  
35 confidentiality, security, and integrity of personal information obtained from citizens for  
36 purposes of voter registration.

37        (b) On or before October 1, 2017, the Department of Information Technology and  
38 the State Board of Elections shall jointly submit a report, in accordance with § 2-1246 of  
39 the State Government Article, summarizing the findings of the study to the Senate

1 Education, Health, and Environmental Affairs Committee and the House Committee on  
2 Ways and Means.

3 SECTION 8. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017,  
4 the State Board of Elections shall submit a report to the Senate Education, Health, and  
5 Environmental Affairs Committee and the House Ways and Means Committee, in  
6 accordance with § 2-1246 of the State Government Article, concerning the process for  
7 informing applicants for voter registration of the manner in which an individual may apply  
8 to keep the individual's residence address confidential for specified safety or privacy  
9 reasons, as prescribed by the State Board of Elections regulations.

10 SECTION 9. AND BE IT FURTHER ENACTED, That, subject to Section 5 of this  
11 Act, this Act shall take effect July 1, 2016.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.