

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1122 (Delegate McDonough)  
Judiciary and Ways and Means

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**Voting Disclosure Act of 2016**

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This bill establishes requirements that (1) information concerning individuals who are not U.S. citizens be provided by a jury commissioner to the State Board of Elections (SBE) and Motor Vehicle Administration (MVA) within five days of receiving the information and (2) govern actions to be taken by the State Administrator of Elections and MVA upon receipt of that information.

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**Fiscal Summary**

**State Effect:** The bill is not expected to materially affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill modifies existing requirements that Court of Appeals rules provide for disclosure of information to SBE and MVA to specify that information concerning individuals who are not U.S. citizens must be provided by a jury commissioner to SBE and MVA within five days of receiving the information.

The State Administrator of Elections must make arrangements with the jury commissioner of the circuit court for each county to receive reports of the names and addresses of individuals who were summoned as prospective jurors and indicated that they are not U.S. citizens. The State Administrator must (1) maintain a list of such individuals; (2) direct the appropriate election director to remove an individual included on the list from the statewide voter registration list; (3) provide a copy of the list to the Office of the U.S. States Attorney for prosecution under federal law for fraudulently registering to vote;

and (4) publish annually on the SBE website the number of such individuals who have been removed from the statewide voter registration list.

On receipt of information from a jury commissioner of a county concerning an individual who is not a U.S. citizen, MVA must review the status of the individual's driving privileges to ensure that the individual is qualified for the license issued by MVA. If MVA has issued a license for which the individual is not qualified, it must cancel the individual's license and order the individual to surrender the license. A licensee may request a hearing on a cancelation. On receipt of a surrendered license, if appropriate, MVA must issue the individual a license for which the individual is properly qualified.

**Current Law:** Access to information about prospective, qualified, and sworn jurors may be allowed only in accordance with rules adopted by the Court of Appeals. The rules must provide for disclosure of information (1) to SBE as to individuals who have died, have moved, or are not U.S. citizens and (2) to MVA as needed to correct data that MVA provides.

The Maryland Rules adopted by the Court of Appeals require a jury commissioner to, at intervals acceptable to the jury commissioner, provide SBE and MVA with data about prospective, qualified, or sworn jurors needed to correct erroneous or obsolete information, such as information related to a death or change of address, subject to SBE's and MVA's adoption of regulations to ensure against improper dissemination of juror data.

SBE regulations address the confidentiality of juror information received from a jury commissioner and include steps to be taken to remove from the statewide voter registration list individuals reported in the information to not be U.S. citizens.

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### **Additional Information**

**Prior Introductions:** HB 891 of 2015 received an unfavorable report from the House Judiciary Committee.

**Cross File:** None.

**Information Source(s):** State Board of Elections, Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 29, 2016  
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