

HOUSE BILL 172

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9lr0120

By: **Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)**

Introduced and read first time: January 23, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration Deadlines and Security of Voter Registration**
3 **Information**

4 FOR the purpose of altering the period during which voter registration is closed before an
5 election; requiring the State Board of Elections to adopt regulations that describe
6 the best practices for storage and security of voter registration information received
7 by certain persons; requiring certain persons who receive voter registration
8 information to notify the State Administrator of Elections as soon as possible but not
9 later than a certain number of days after becoming aware of a breach in the secure
10 storage of the voter registration information; providing that certain persons who fail
11 to report a breach in the secure storage of voter registration information in
12 accordance with a certain provision of this Act are guilty of a misdemeanor and are
13 subject to certain penalties on conviction; and generally relating to voter registration
14 deadlines and the security of voter registration information.

15 BY repealing and reenacting, with amendments,
16 Article – Election Law
17 Section 3–302 and 3–506
18 Annotated Code of Maryland
19 (2017 Replacement Volume and 2018 Supplement)

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

22 **Article – Election Law**

23 3–302.

24 (a) **(1)** Except as provided under § 3–305 of this subtitle, registration is closed

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that
2 election] DURING THE PERIOD SPECIFIED IN THIS SUBSECTION.

3 **(2) VOTER REGISTRATION CLOSING BEGINNING ON THE 21ST DAY**
4 **PRECEDING AN ELECTION AT:**

5 **(I) 5 P.M. FOR APPLICATIONS AND CHANGES TO VOTER**
6 **REGISTRATION RECORDS SUBMITTED BY A METHOD OTHER THAN THROUGH THE**
7 **STATE BOARD'S ONLINE VOTER REGISTRATION SYSTEM; AND**

8 **(II) 11:59 P.M. FOR APPLICATIONS AND CHANGES TO VOTER**
9 **REGISTRATION RECORDS SUBMITTED THROUGH THE STATE BOARD'S ONLINE**
10 **VOTER REGISTRATION SYSTEM.**

11 **(3) VOTER REGISTRATION REOPENS ON THE 11TH DAY AFTER AN**
12 **ELECTION.**

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

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

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

21 (2) the application was submitted by the voter to the Motor Vehicle
22 Administration, a voter registration agency, another local board, or the State Board prior
23 to the close of registration.

24 3-506.

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

27 (i) a written application; and

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

30 1. commercial solicitation; or

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

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

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

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

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

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

7 (v) that the residence address of an individual who is a participant
8 in an address confidentiality program may not be disclosed;

9 (vi) that a participant in an address confidentiality program is not
10 required to apply to the State Board to keep the individual's residence address confidential;

11 (vii) the format of the information; and

12 (viii) the medium or media on which the information is to be provided.

13 (b) (1) The State Administrator or a designee shall provide a copy of the
14 statewide voter registration list and voter registration records to a jury commissioner on
15 request and without charge by means agreed to with the Administrative Office of the
16 Courts.

17 (2) On application of the Attorney General, a circuit court may compel
18 compliance with paragraph (1) of this subsection.

19 (c) **(1) THE STATE BOARD SHALL ADOPT REGULATIONS THAT DESCRIBE**
20 **BEST PRACTICES FOR STORAGE AND SECURITY OF VOTER REGISTRATION**
21 **INFORMATION BY A PERSON WHO RECEIVED THE VOTER REGISTRATION**
22 **INFORMATION UNDER THIS SECTION.**

23 **(2) A PERSON WHO RECEIVED A LIST OF REGISTERED VOTERS UNDER**
24 **THIS SECTION OR A PERSON WHO RECEIVED A LIST OF REGISTERED VOTERS FROM**
25 **A PERSON WHO RECEIVED THE LIST UNDER THIS SECTION, AFTER BECOMING AWARE**
26 **OF A BREACH IN THE SECURE STORAGE OF THE VOTER REGISTRATION**
27 **INFORMATION, SHALL DISCLOSE THE BREACH TO THE STATE ADMINISTRATOR AS**
28 **SOON AS POSSIBLE BUT NOT LATER THAN 4 DAYS AFTER BECOMING AWARE OF THE**
29 **BREACH.**

30 **(D) (1)** A person who knowingly allows a list of registered voters, under the
31 person's control, to be used for any purpose not related to the electoral process is guilty of
32 a misdemeanor and, on conviction, is subject to the penalties under Title 16 of this article.

1 **(2) A PERSON WHO FAILS TO REPORT A BREACH IN THE SECURE**
2 **STORAGE OF VOTER REGISTRATION INFORMATION IN ACCORDANCE WITH**
3 **SUBSECTION (C)(2) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON**
4 **CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$25,000 OR IMPRISONMENT**
5 **NOT EXCEEDING 1 YEAR OR BOTH.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2019.