

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE  
Revised

House Bill 449 (Chairman, Commerce and Government Matters Committee)  
(Departmental - Elections, State Board of)

Commerce and Government Matters

---

**Election Law - Deceased Registered Voters**

---

This departmental bill authorizes an election director of a local board of elections to use obituaries and other reliable reports of death to remove a deceased voter from the voter registry. Before removing a voter's name from a registry, the local board is required to send a notice to the voter's last known address to verify the death. On receipt of verification of the death of a voter, the election director may remove the voter from the registry.

This bill is effective June 1, 2000.

---

**Fiscal Summary**

**State Effect:** None. The operations and finances of the State Board of Elections would not be affected.

**Local Effect:** The local boards of elections may realize a slight increase in expenditures due to the cost of additional postage. It is expected that the increase would be minimal and would total less than \$1,000 in most jurisdictions.

**Small Business Effect:** The State Board of Elections has determined that this bill will have minimal or no impact on small businesses (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

---

**Analysis**

**Current Law:** On a regular basis, the health officers of Baltimore City and each county report to the State Board of Elections the names and residences of all individuals at least 16 years old who have died in their jurisdiction since the last report. Although local boards have frequently used obituaries and other reports of death, especially in less populated jurisdictions, there are no provisions allowing them to utilize these sources to cleanse voter

registration records.

**Background:** The Office of the Attorney General advises that current law prohibits the local boards of elections from utilizing obituaries and other information sources to remove names from the voter registry. The only legal means for removing a name is through the Baltimore City and county health officers. However, the health officers only track deaths in their jurisdictions, and therefore deaths that occur out-of-state are not recorded. The bill would allow for the use of additional sources and requires notice in order to prevent erroneous registry deletions.

**Local Expenditures:** Local boards of elections would be required to send out letters to verify death when they receive reliable reports that a registered voter has died. This would result in minimal expenditure increases for the counties and Baltimore City, due to additional postage costs. The State Board of Elections advises that letters would not be required to verify deaths that have been reported by health officers. The State board further advises that the bill would not require the local boards to seek out reliable notices of death; the bill merely authorizes the local boards to use sources that do come to their attention.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State Board of Elections, Carroll County, Cecil County, Montgomery County, Prince George's County, Queen Anne's County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 16, 2000  
cm/jr Revised - House Third Reader - March 17, 2000

---

Analysis by: Mark Collins

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510