

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

Senate Bill 433

(Senator Stone)

(Chairman, Ethics and Election Law Subcommittee)

Education, Health, and Environmental Affairs

Ways and Means

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**Election Law - Miscellaneous Technical and Clarifying Corrections**

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This bill clarifies and makes technical changes to the Election Law Article for purposes of complying with the National Voter Registration Act and correcting and clarifying certain provisions established by the election law code revision during the 2002 session (Chapter 291).

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**Fiscal Summary**

**State Effect:** None. The bill is primarily clarifying and technical in nature and would not directly affect governmental operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill primarily clarifies existing statutory language. However, the following are the substantive changes the bill makes to existing law.

The period during which a local board is prohibited from creating or changing a precinct boundary is altered to include the period between January 1 in the second year preceding the decennial census through the effective date of any redistricting based on the census.

Local boards may approve a voter's request for a party affiliation change where there is sufficient evidence that the request was mailed before the beginning of the period prior to a primary when registration is closed, or if the request was submitted to the Motor Vehicle Administration, a voter registration agency, another local board, or the State board before the registration deadline. The State board is authorized to establish regulations for local boards to follow in making this determination.

The bill repeals a provision requiring the State board, before certifying an election, to determine whether reports or statements of contributions and expenditures have been filed by all candidates. Also repealed is a provision that requires a political committee that spends \$51 or more to aid or oppose the nomination of a candidate to submit a campaign finance report to the committee that was aided.

Finally, the bill clarifies that the prohibition on State officials from receiving contributions during the legislative session extends to contributions from any campaign finance entity operated in coordination with a candidate, and does not prohibit the use of any funds deposited prior to the session for expenditures during the session.

**Current Law:** Local boards may not alter precinct boundaries during the period between January 1 of the second year preceding the decennial census through December 1 of the second year following the census.

Party affiliation may not be changed from 9 p.m. on the Monday, or the next regular business day if the Monday is a legal holiday, that is 12 weeks before the day on which a primary election is to be held until and including the day on which registration reopens after the primary election is held.

The Governor, Lt. Governor, Attorney General, Comptroller, and members of the General Assembly may not, as to a candidate for federal, State, or local office, or a campaign finance entity of the candidate: (1) receive a contribution; (2) conduct a fundraising event; (3) solicit or sell a ticket to a fundraising event; or (4) deposit or use any contribution regardless of when it is received.

**Background:** The National Voter Registration Act of 1993 is commonly known as the Motor Voter Act and prescribes certain limitations on the administration of voter registration lists in the states. Its major provisions prohibit states from removing names from registration lists for failure to vote or for change of residence within a local jurisdiction. The Act also requires states to conduct regular list maintenance programs to remove ineligible voters from registration lists.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery County, Prince George's County, Charles County, Maryland State Board of Elections, Frederick County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2003  
ncs/jr

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Analysis by: Michelle L. Harrison-Davis

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510