

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 679 (Senator Green)
Education, Health, and Environmental Affairs

Election Law - Qualification of Voters - Proof of Identity

This bill requires an election judge to qualify a voter by requesting that the voter present one of the following forms of identification: (1) voter registration card; (2) Social Security card; (3) a valid Maryland driver's license; (4) a state or federal government issued identification card; (5) a photo identification issued by an employer; or (6) a copy of a current bill, bank statement, government check, paycheck, or government document that shows the name of the voter. If a voter is unable to present any of the required forms of identification, the voter will be issued a provisional ballot. The bill prohibits willfully and knowingly voting or attempting to vote under a false form of identification. A violator is guilty of a misdemeanor and subject to a maximum fine of \$2,500 or incarceration for up to five years, or both.

Fiscal Summary

State Effect: The bill is mostly procedural in nature and would not substantially affect State finances. Any incremental costs could be paid for with federal funds received under the Help America Vote Act.

Local Effect: Local boards of election would be able to handle any additional printing costs associated with any resulting increase in the use of provisional ballots with existing budgeted resources.

Small Business Effect: None.

Analysis

Current Law: An election judge is required to establish a voter's identity by requesting the voter to state the month and day of the voter's birth and compare the response to the information listed in the precinct register. Individuals are prohibited from impersonating another person in order to vote or attempt to vote and voting or attempting to vote under a false name. Violators are guilty of a misdemeanor punishable by a fine not to exceed \$2,500 or imprisonment for not more than five years, or both.

Background: Title III of the Help America Vote Act of 2002 requires all states to require identification from voters who have registered by mail and who have not previously voted in an election for federal office in a state, or if the individual has not previously voted in such an election in a local jurisdiction that is located in a state without a central, computerized voter registration list. Under this federal statute, valid forms of identification are: (1) a current and valid photo identification; (2) a copy of a current utility bill; (3) a bank statement; (4) a government check or paycheck; or (5) other government document that shows the name and address of the voter.

Additional Information

Prior Introductions: None.

Cross File: HB 1110 (Delegate Patterson, *et al.*) – Rules and Executive Nominations.

Information Source(s): Washington County, Montgomery County, Prince George's County, Kent County, Worcester County, Maryland State Board of Elections, Department of Aging, Department of Legislative Services

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ncs/jr

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