

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 677 (Senator Kittleman)  
Education, Health, and Environmental Affairs

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Election Law - Qualification of Voters - Proof of Identity

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This bill requires an election judge to establish a voter's identity and verify the voter's address before authorizing the voter to vote a regular ballot. The election judge must establish the voter's identity by requiring the voter to present either a current and valid photo identification or a copy of a current utility bill, bank statement, government paycheck, or other government document that shows the name and address of the voter. If the voter is unable to provide the required identification, or the voter indicates a change of residence, the election judge must refer the individual for provisional ballot voting. In addition to the voting authority card, the State Board of Elections (SBE) is allowed to establish a form for making appropriate changes to voter information.

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Fiscal Summary

**State Effect:** The bill would not substantially affect State finances.

**Local Effect:** Local boards of election would be able to handle any additional printing and training costs associated with changes in procedure with existing resources.

**Small Business Effect:** None.

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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. If an individual's name is not on the precinct register or inactive list, the voter is referred for provisional ballot voting. Voter

information is kept in a precinct on voter authority cards. If any voter information needs to be updated, election judges make the necessary changes directly on the card and have the voter sign the card before issuing the ballot or sending the voter to a machine to vote.

**Background:** Title III of the federal 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.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 23, 2005  
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