

**Department of Legislative Services  
Maryland General Assembly  
2006 Session**

**FISCAL AND POLICY NOTE**

House Bill 470  
Ways and Means

(Delegate Frank, *et al.*)

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**Election Law - Identification of Voters**

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This bill requires an election judge to establish the identity of a voter by requesting that the voter present either: (1) a voter identification card; (2) a driver's license; or (3) an identification card issued by the Motor Vehicle Administration. A voter may also present any other identification issued by a governmental entity that contains the voter's name, address, and date of birth. If a voter is unable to present any of the required forms of identification, the election judge must verify the date of birth by having the voter state the month and day of the voter's birth.

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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 required by the bill with existing budgeted 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 comparing 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 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.

An individual is eligible to cast a provisional ballot if: (1) the individual declares in a written affirmation submitted with the provisional ballot that the individual is a registered voter in the State and is eligible to vote in that election; and (2) the individual's name does not appear on the precinct register; an election official asserts that the individual is not eligible to vote; or the individual does not have the necessary identification.

**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 either have not previously voted in an election for federal office in the state or have not previously voted in such an election in a local jurisdiction, and the jurisdiction 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.

Twenty-three states currently require all voters to provide some form of identification in order to vote.

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### **Additional Information**

**Prior Introductions:** HB 1279 of 2005, a nearly identical bill, received an unfavorable report by the Ways and Means Committee.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 16, 2006  
mll/jr

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