

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

Senate Bill 101 (Chair, Education, Health, and Environmental Affairs Committee)
(By Request – Departmental – Elections, State Board of)

Education, Health, and Environmental Affairs

Ways and Means

Election Law - Petition Verification

This emergency departmental bill clarifies that the purpose of requiring election authority staff to verify signatures on a petition filed with the State or a local election authority is to ensure that the names of the individuals who signed the petition are registered voters, not to verify the authenticity of the signature.

Fiscal Summary

State Effect: None. The bill continues current administrative practice.

Local Effect: None.

Small Business Effect: The State Board of Elections has determined that this bill will have minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: Petitions are filed with an election board (local or State) for the purpose of placing an individual, individuals, or a question on an election ballot, creating a new political party, or for the appointment of a charter board. The form and content of petitions are prescribed by statute and regulations promulgated by the State Board of Elections (SBE). Among other requirements, a petition must contain a statement, to which each signer subscribes, that the signer supports the purpose of the petition and based on their information and belief, they are a registered voter in the county specified on that page of the petition and are eligible to have their signature counted. The staff of the election board must verify and count the signatures.

Background: SBE advises that the bill reflects current administrative practice. In conducting the signature verification process, SBE verifies that a signature on a petition corresponds to a registered voter and does not make an actual comparison of the signature on the petition to the signature on file with the voter registration record. According to SBE, to do so would increase the time and expense of certifying petitions, would require signature analysis training for staff, and could lead to inadvertent rejection of signatures that had changed over time.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Board of Elections, Department of Legislative Services

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ncs/jr

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