

HOUSE BILL 1102

G1

8lr2183

By: **Delegates Myers, Bates, Beitzel, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Hecht, Kelly, Krebs, Norman, O'Donnell, Riley, Shank, Stocksdale, Stull, and Weldon**

Introduced and read first time: February 7, 2008

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Statewide Voter List – Information from Circuit Courts**

3 FOR the purpose of requiring the clerk of the circuit court for each county to report
4 certain information to the State Administrator of Elections; authorizing the
5 election director of a local board to remove a voter from the statewide voter
6 registration list if the voter is not a citizen of the United States; making a
7 technical correction; and generally relating to maintaining the validity of the
8 statewide voter list.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 3–501 and 3–504
12 Annotated Code of Maryland
13 (2003 Volume and 2007 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Election Law**

17 3–501.

18 (a) An election director may remove a voter from the statewide voter
19 registration list only:

20 (1) at the request of the voter, provided the request is:

21 (i) signed by the voter;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) authenticated by the election director; and

2 (iii) in a format acceptable to the State Board or on a
3 cancellation notice provided by the voter on a voter registration application;

4 (2) upon determining, based on information provided pursuant to [§
5 3-503] § **3-504** of this subtitle, that the voter is no longer eligible because:

6 (i) the voter is not qualified to be a registered voter as provided
7 in § 3-102(b) of this title;

8 **(II) THE VOTER IS NOT A CITIZEN OF THE UNITED STATES;**
9 or

10 [(ii)] **(III)** the voter is deceased;

11 (3) if the voter has moved outside the State, as determined by
12 conducting the procedures established in § 3-502 of this subtitle; or

13 (4) if, in accordance with the administrative complaint process under §
14 3-602 of this title, the local board has determined that the voter is not qualified to be
15 registered to vote.

16 (b) An election director may not remove a voter from the list in accordance
17 with subsection (a)(2) or (3) of this section during the period that:

18 (1) begins 30 days before the close of registration before an election;
19 and

20 (2) ends at the close of the polls on the day of the election.

21 3-504.

22 (a) (1) (i) Information from the agencies specified in this paragraph
23 shall be reported to the State Administrator in a format and at times prescribed by the
24 State Board.

25 (ii) The Department of Health and Mental Hygiene shall report
26 the names and residence addresses (if known) of all individuals at least 16 years of age
27 reported deceased within the State since the date of the last report.

28 (iii) The clerk of the circuit court for each county and the
29 administrative clerk for each District Court shall report the names and addresses of
30 all individuals convicted, in the respective court, of a felony since the date of the last
31 report.

32 (iv) The clerk of the circuit court for each county shall report:

1 **1.** the former and present names and residence
2 addresses (if known) of all individuals whose names have been changed by decree or
3 order of the court since the date of the last report; **AND**

4 **2. THE NAME OF ANY INDIVIDUAL WHO APPEARED**
5 **ON A LIST OF REGISTERED VOTERS PROVIDED FOR THE JURY SELECTION**
6 **PROCESS AND WHO WAS DETERMINED NOT TO BE A CITIZEN OF THE UNITED**
7 **STATES.**

8 (2) The State Administrator shall make arrangements with the clerk
9 of the United States District Court for the District of Maryland to receive reports of
10 names and addresses, if available, of individuals convicted of a felony in that court.

11 (b) (1) The State Administrator shall transmit to the appropriate local
12 board information gathered pursuant to subsection (a) of this section.

13 (2) Every agency or instrumentality of any county which acquires or
14 condemns or razes or causes to be condemned or razed any building used as a
15 residence within the county shall promptly report this fact and the location of the
16 building to the local board in the county or city.

17 (3) Registration cancellation information provided by an applicant on
18 any voter registration application shall be provided to the appropriate local board by
19 the State Administrator or another local board.

20 (4) A local board may:

21 (i) make arrangements to receive change of address
22 information from an entity approved by the State Board; and

23 (ii) pay a reasonable fee to the entity for the information.

24 (c) (1) Whenever a local board becomes aware of an obituary or any other
25 reliable report of the death of a registered voter, the election director shall mail a
26 notice to the registered voter, as prescribed by the State Board, to verify whether the
27 voter is in fact deceased.

28 (2) On receipt of a verification of the death of a voter, provided in
29 accordance with the notice mailed under paragraph (1) of this subsection, the election
30 director may remove the voter from the statewide voter registration list under § 3-501
31 of this subtitle.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2008.