

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 1102
Ways and Means

(Delegate Myers, *et al.*)

Election Law - Statewide Voter List - Information from Circuit Courts

This bill requires the clerk of the circuit court for each county to report to the State Administrator of Elections, in a format and at times prescribed by the State Board of Elections, the name of any individual who both (1) appeared on a list of registered voters provided for the jury selection process; and (2) was determined not to be a citizen of the United States. The bill also specifies that an election director may remove a voter from the statewide voter registration list upon determining, based on specified information, including information received from a clerk of the circuit court, that the voter is no longer eligible because the voter is not a citizen of the United States.

Fiscal Summary

State Effect: The bill would not substantively change State activities or operations.

Local Effect: The bill would not substantively change local government activities or operations.

Small Business Effect: None.

Analysis

Current Law/Background: The clerk of the circuit court for each county is required to report specified information to the State Administrator of Elections, including the names and addresses of individuals convicted of a felony and the former and current names and residence addresses, if known, of all individuals whose names have been changed by decree or order of the court. In addition, under the Courts and Judicial Proceedings

Article, specified rules adopted by the Court of Appeals regarding access to information about prospective, qualified, and sworn jurors must provide for disclosure of information to SBE as to individuals who have died, moved, or are not citizens of the United States.

An election director may only remove a voter from the statewide voter registration list for specified reasons, including upon determining based on specified information, that the voter is no longer eligible for reasons including actually serving a court-ordered sentence for a felony conviction or if the voter is deceased.

SBE and the Judiciary indicate that information from the jury selection process regarding persons who are not U.S. citizens is currently provided to SBE. SBE regulations specify procedures to be followed by SBE and local election boards with respect to information received from a jury commissioner or clerk regarding a prospective juror not being a citizen or having moved from the county or died. The procedures include mailing a notice to a voter reported to have died or to not be a citizen indicating that the voter will be removed from the voter registry unless an objection showing cause why the voter should not be removed is received within two weeks of the date of the letter.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Washington County, Montgomery County, Kent County, Worcester County, Baltimore City, Judiciary (Administrative Office of the Courts), State Board of Elections, Department of Legislative Services

Fiscal Note History: First Reader - March 16, 2008
mll/ljm

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