

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 1103

(Delegate Myers, *et al.*)

Ways and Means

Election Law - Periodic Audit of Statewide Voter Registration List

This bill requires the State Administrator of Elections, in collaboration with the local boards of elections, to conduct an audit of the statewide voter registration list to ensure the accuracy and currency of the individual voter records. The audit must be conducted on or before July 1 in each even-numbered year and at any other time the State Administrator determines to be necessary.

Fiscal Summary

State Effect: General fund expenditures could increase in FY 2010 and 2012 to conduct an audit of the statewide voter registration list, possibly to hire an outside firm if deemed necessary to meet the requirements of the bill. Any increase in expenditures would depend on the scope of the audit undertaken and cannot be reliably estimated at this time.

Local Effect: Local government expenditures could increase to the extent local boards of elections would be responsible for any costs associated with an audit conducted pursuant to the bill. Any increase in expenditures, however, cannot be reliably estimated at this time.

Small Business Effect: None.

Analysis

Current Law: The State administrator must define, maintain, and administer an official, statewide voter registration list that • contains the name and other information for every legally registered voter in the State; • allows each local board to obtain immediate

electronic access to the information in the list; • is coordinated with other State agency databases; and • includes voting history information for at least the five preceding years. The State administrator is also responsible for, along with the local boards • ensuring the currency and accuracy of each individual voter's registration record; • instructing local boards on the processing of applications and name and address changes and entering and removal of voter registration information; and • establishing and conducting a program to identify voters who have changed their addresses.

A voter is only removed from the statewide voter registration list at the request of the voter or in specified instances where it is determined that a voter is no longer qualified to be a registered voter, is deceased, or has moved outside the State.

If information is received from the postal service or other agency specified under State law that a voter has moved to a different address outside the State, a confirmation notice is sent to the voter informing the voter that he/she may be placed into inactive status on the statewide voter registration list. If a return card is not received from the voter, the voter is placed into inactive status, and if the voter fails to vote in any election after two general elections have passed, he/she is removed from the statewide voter registration list. A voter is also removed from the statewide voter registration list if the voter confirms in writing that he/she has moved outside the State. If election officials receive information that a voter has moved to a different address in the State, the voter's record is changed and a confirmation notice is sent to the voter.

The Department of Health and Mental Hygiene, clerks of the circuit court, and District Court administrative clerks are required to report information on deceased individuals, individuals convicted of felonies, and name changes to the State Board of Elections.

Background: SBE indicates that processes are currently undertaken to help ensure the accuracy and currency of the statewide voter registration list. SBE, for example, runs reports from the voter registration database to verify data and contacts the local boards about any inaccuracies found. SBE regulations also provide for specimen ballot mailings by nonforwardable mail prior to each general election that allow the local boards to determine when a registered voter has moved and to take appropriate action specified in State law to either change the voter's registration record and send a confirmation notice, if the voter has moved within the State, or place the voter's name into inactive status if the voter appears to have moved out of the State and fails to respond to a confirmation notice.

Additional Information

Prior Introductions: HB 1198 of 2007, a similar bill, was withdrawn.

Cross File: None.

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

Fiscal Note History: First Reader - March 17, 2008
mll/ljm

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510