

HOUSE BILL 1286

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9lr2328
CF SB 499

By: **Delegate Valderrama**

Introduced and read first time: February 13, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Statewide Voter Registration List – Removal of Inactive**
3 **Voters**

4 FOR the purpose of repealing the automatic removal of an inactive voter from the
5 statewide voter registration list when the voter fails to vote for a certain period
6 of time; repealing the automatic removal of a voter from the statewide voter
7 registration list when the voter fails to respond to a confirmation notice and
8 fails to vote for a certain period of time; and generally relating to the automatic
9 removal of voters from the statewide voter registration list.

10 BY repealing and reenacting, with amendments,
11 Article – Election Law
12 Section 3–502 and 3–503
13 Annotated Code of Maryland
14 (2003 Volume and 2008 Supplement)

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

17 **Article – Election Law**

18 3–502.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) “Confirmation notice” means a notice, approved by the State
21 Board, that is sent by forwardable mail with a return card.

22 (3) “Return card” means a postage prepaid and preaddressed card on
23 which the voter may report the voter’s current address.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Upon receiving any information that a voter currently registered in the
2 State has moved to a different address within the State, the appropriate election
3 official shall change the voter's record and send the voter a confirmation notice.

4 (c) If it appears from information provided by the postal service or an agency
5 specified in § 3-504(b) of this subtitle that a voter has moved to a different address
6 outside the State, the election official in the county where the voter most recently
7 resided in the State shall send the voter a confirmation notice informing the voter of
8 his or her potential inactive status as described in § 3-503 of this subtitle.

9 (d) Upon receipt of a return card, the election director shall:

10 (1) make any needed corrections in the statewide voter registration
11 list; and

12 (2) in accordance with State Board guidelines, retain original voter
13 registration documents.

14 (e) The election director may not remove a voter from the statewide voter
15 registration list on the grounds of a change of address unless[:

16 (1)] the voter confirms in writing that the voter has changed residence
17 to a location outside the State[: or

18 (2) (i) the voter has failed to respond to a confirmation notice
19 under subsection (c) of this section; and

20 (ii) the voter has not voted or appeared to vote (and, if
21 necessary, corrected the record of the voter's address) in an election during the period
22 beginning with the date of the notice through the next two general elections].

23 3-503.

24 (a) If a voter fails to respond to a confirmation notice under § 3-502(c) of this
25 subtitle, the voter's name shall be placed into inactive status on the statewide voter
26 registration list.

27 (b) A voter shall be restored to active status on the statewide voter
28 registration list after completing and signing any of the following election documents:

29 (1) a voter registration application;

30 (2) a petition governed by Title 6;

31 (3) a certificate of candidacy;

32 (4) an absentee ballot application; or

1 (5) a written affirmation of residence completed on election day to
2 entitle the voter to vote either at the election district or precinct for the voter's current
3 residence or the voter's previous residence, as determined by the State Board.

4 (c) [An inactive voter who fails to vote in an election in the period ending
5 with the second general election shall be removed from the statewide voter
6 registration list.

7 (d)] Registrants placed into inactive status may not be counted for official
8 administrative purposes including establishing precincts and reporting official
9 statistics.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2009.