

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1392

(Chair, Ways and Means Committee)(By Request -
Departmental - Elections, State Board of)

Ways and Means

Education, Health, and Environmental Affairs

Election Law - Miscellaneous Revisions

This departmental bill makes various changes to State election law, including changes relating to voter registration, ballot printing, absentee ballots, polling place operations, and prohibited actions.

Fiscal Summary

State Effect: The bill is not expected to materially affect State operations or finances.

Local Effect: The bill is not expected to materially affect local government operations or finances.

Small Business Effect: SBE has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Bill Summary: The various changes the bill makes include:

- a provision allowing for an address change to a voter registration record to be processed without the voter's signature if notification of the change is provided by the U.S. Department of Defense;

- a requirement that the State Administrator of Elections make arrangements with courts of other states and other U.S. District Courts to receive reports of names and addresses, if available, of individuals convicted of a felony in those courts;
- a provision specifying that an individual's Motor Vehicle Administration driver's license or identification card number or full Social Security number contained in voter registration records is not subject to public disclosure and may only be used for voter registration purposes;
- a requirement that the State Administrator, in consultation with the local boards, determine the quantity of ballots needed for each election and arrange to have the ballots printed;
- the repeal of existing provisions regarding absentee ballot envelopes and a requirement that SBE adopt guidelines for the distribution and return of absentee ballots;
- a provision specifying that a vacancy in polling place staff may not delay the opening of a polling place;
- alterations to voter check-in procedures to reflect the use of electronic pollbooks and a clarification that an election judge must ask a voter to state the voter's residential address;
- specified changes to provisions prohibiting certain actions with respect to voting systems, equipment, and supplies; and
- other generally corrective or clarifying changes and changes codifying current practice.

Background: Many of the bill's changes are corrective or clarifying, or codify current practice, though some are substantive, including:

- Processing of Address Changes Provided by the U.S. Department of Defense Without Voters' Signatures – SBE indicates it is a challenge to maintain current mailing addresses for military voters, who are extremely mobile, and the board has been approached to participate in a pilot program where the military shares current addresses with election officials. SBE indicates it is appropriate to make an exception to the requirement that an address change cannot be made without a

voter's signature because of the accuracy and authenticity of the Department of Defense's system and data.

- State Administrator Required to Make Arrangements to Obtain Information from Other Courts – This change will provide election officials with a more complete list of voters who have been convicted of a felony. The clerks of the circuit court for each county and the administrative clerks for the District Courts are currently required to report to the State Administrator of Elections the names and addresses of individuals convicted of felonies and the State Administrator is also required to make arrangements with the clerk of the United States District Court for the District of Maryland to receive reports of names and addresses, if available, of individuals convicted of felonies.
- Prohibited Actions – The bill generally expands prohibited actions relating to voting systems, equipment, and supplies.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections, Maryland Department of Transportation, Frederick County, Garrett County, Department of Legislative Services

Fiscal Note History: First Reader - March 16, 2009
ncs/hlb Revised - House Third Reader - April 10, 2009

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Election Law – Miscellaneous Technical & Clarifying Corrections

BILL NUMBER: HB 1392

PREPARED BY: Maryland State Board of Elections

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.