

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 445 (Senator Madaleno)
Education, Health, and Environmental Affairs

Petitions - Signer Photo Identification Requirement and Affidavit

This bill requires an individual, when signing any petition authorized by law to place the name of an individual or a question on the ballot, or to create a new political party, to show the circulator of the petition a current and valid photo identification as prescribed by the federal Help America Vote Act of 2002 (HAVA). The identification must include the signer's date of birth. An affidavit on each signature page of a petition, made and executed by the circulator, must include a statement that, for each signer, the circulator has seen the required photo identification.

The bill takes effect July 1, 2009.

Fiscal Summary

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

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

Small Business Effect: None.

Analysis

Current Law: A petition authorized by law to place the name of an individual or a question on the ballot, or to create a new political party, must contain an information page (containing, among other things, a description of the subject and purpose of the petition and identification of the sponsor) and signature pages containing not less than the total number of signatures required by law to be filed.

To sign a petition, an individual must sign the individual's name (as it appears on the registration list, or the individual's surname of registration and at least one full given name and the initials of any other names) and include, printed or typed, the signer's name as it was signed, the signer's address, the date of signing, and any other information required by State Board of Elections regulations. Each signature page must contain, among other information, an affidavit made and executed by the circulator, in whose presence all of the signatures on the page were affixed and who observed each of the signatures being affixed, containing statements, required by regulation, designed to assure the validity of the signatures and the fairness of the petition process.

The signature of an individual is validated and counted if, among other requirements, the above-mentioned required information is provided by the individual, the individual is a registered voter in the county specified on the signature page (and, if applicable, in a particular geographic area of the county), and the signature is attested to by an affidavit on the signature page.

Background: HAVA mandates that states require identification of first-time voters who register by mail and do not provide verification of their identity with their voter registration. Acceptable forms of identification include a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Kent, Montgomery, Washington, and Worcester counties; Baltimore City; Department of Legislative Services

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mam/hlb

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