HOUSE BILL 561

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1lr2287
CF SB 765

By: **Delegates Cardin and Rosenberg**
Introduced and read first time: February 8, 2011
Assigned to: Ways and Means

A BILL ENTITLED

1   AN ACT concerning

2   **Election Law – Voter Registration – Exchange of Information**

3   FOR the purpose of requiring State agencies to provide certain data to the State Board
4   of Elections for the purpose of maintaining an accurate statewide voter
5   registration list; prohibiting the State Board from disclosing certain data it
6   receives except under certain circumstances; authorizing the State Board to
7   enter into agreements with other states to exchange certain data that is
8   relevant to maintaining accurate voter registration lists; authorizing the State
9   Board to exchange certain data that is not subject to public disclosure under the
10   Public Information Act with other persons for the purpose of maintaining
11   accurate voter registration lists; prohibiting a person who receives certain data
12   that is not subject to public disclosure under the Public Information Act from
13   using or redisclosing that data except for the purpose of maintaining accurate
14   voter registration lists; and generally relating to the exchange of data for the
15   purpose of maintaining accurate voter registration lists.

16   BY repealing and reenacting, with amendments,
17   Article – Election Law
18   Section 3–101
19   Annotated Code of Maryland
20   (2010 Replacement Volume)

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

Article – Election Law

24   3–101.

25   (a)   There shall be a statewide voter registration list.

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
     [Brackets] indicate matter deleted from existing law.

1   (b)   The statewide voter registration list shall:

2   (1)   be the official voter registration list for the State;

3   (2)   contain the name and other information for every legally registered
4   voter in the State;

5   (3)   allow each local board to obtain immediate electronic access to the
6   information contained in the list;

7   (4)   be coordinated with other agency databases in the State;

8   (5)   be used to produce precinct registers for use in polling places on
9   election day; and

10   (6)   include voting history information on a current basis for a period
11   covering at least the 5 preceding years.

12   (c)   The State Administrator shall:

13   (1)   define, maintain, and administer the statewide voter registration
14   list;

15   (2)   with the local boards, ensure the currency and accuracy of each
16   individual voter's registration record;

17   (3)   instruct the local boards on:

18   (i)   processing voter registration applications and name and
19   address changes;

20   (ii)   entering voter registration information into the statewide
21   voter registration list; and

22   (iii)   removing   from   the   statewide   voter   registration   list
23   information about voters who are no longer eligible to be registered voters; and

24   (4)   subject to relevant federal law and to regulations adopted by the
25   State Board, establish and conduct a program to identify voters who have changed
26   their addresses.

27   (d)   Registration shall be conducted continuously under the supervision of the
28   State Administrator and in accordance with the provisions of this title, applicable
29   federal law, and regulations adopted by the State Board.

1 **(E)** **(1)** A STATE AGENCY SHALL PROVIDE ANY DATA TO THE STATE
2 BOARD THAT THE STATE ADMINISTRATOR DETERMINES IS NECESSARY TO
3 MAINTAIN AN ACCURATE STATEWIDE VOTER REGISTRATION LIST.

4 **(2)** SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE
5 STATE BOARD MAY NOT DISCLOSE DATA PROVIDED UNDER PARAGRAPH (1) OF
6 THIS SUBSECTION EXCEPT AS PROVIDED IN TITLE 10, SUBTITLE 6, PART III OF
7 THE STATE GOVERNMENT ARTICLE.

8 **(3)** **(I)** THE STATE BOARD MAY ENTER INTO AGREEMENTS
9 WITH OTHER STATES TO EXCHANGE ANY DATA THAT THE STATE
10 ADMINISTRATOR DETERMINES IS RELEVANT TO MAINTAINING ACCURATE
11 VOTER REGISTRATION LISTS.

12 **(II)** THE STATE BOARD MAY EXCHANGE DATA THAT IS NOT
13 SUBJECT TO PUBLIC DISCLOSURE UNDER TITLE 10, SUBTITLE 6, PART III OF
14 THE STATE GOVERNMENT ARTICLE WITH OTHER PERSONS AS THE STATE
15 ADMINISTRATOR DETERMINES IS NECESSARY FOR THE SOLE PURPOSE OF
16 MAINTAINING ACCURATE VOTER REGISTRATION LISTS.

17 **(III)** A PERSON WHO RECEIVES DATA THAT IS NOT SUBJECT
18 TO PUBLIC DISCLOSURE UNDER TITLE 10, SUBTITLE 6, PART III OF THE STATE
19 GOVERNMENT ARTICLE UNDER THIS PARAGRAPH MAY NOT USE OR
20 REDISCLOSE THAT DATA EXCEPT FOR THE PURPOSE OF MAINTAINING
21 ACCURATE VOTER REGISTRATION LISTS.

22 **[**(e)**](F)** A registered voter:

23 (1) shall remain registered when the voter moves to another county in
24 the State; and

25 (2) may not be required to register again unless the voter's
26 registration is canceled in accordance with Subtitle 5 of this title.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 June 1, 2011.