

HOUSE BILL 561

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11r2287
CF SB 765

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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 2011

CHAPTER _____

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; requiring the State Board and the Motor Vehicle
15 Administration jointly to submit a report to certain committees of the General
16 Assembly concerning the implementation of a fully automated voter registration
17 system at the Motor Vehicle Administration by a certain date; and generally
18 relating to the exchange of data for the purpose of maintaining accurate voter
19 registration lists.

20 BY repealing and reenacting, with amendments,
21 Article – Election Law
22 Section 3–101
23 Annotated Code of Maryland
24 (2010 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Election Law**

4 3–101.

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

6 (b) The statewide voter registration list shall:

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

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

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

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

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

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

17 (c) The State Administrator shall:

18 (1) define, maintain, and administer the statewide voter registration
19 list;

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

22 (3) instruct the local boards on:

23 (i) processing voter registration applications and name and
24 address changes;

25 (ii) entering voter registration information into the statewide
26 voter registration list; and

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

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

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

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

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

14 **(3) (I) THE STATE BOARD MAY ENTER INTO AGREEMENTS
15 WITH OTHER STATES TO EXCHANGE ANY DATA THAT THE STATE
16 ADMINISTRATOR DETERMINES IS RELEVANT TO MAINTAINING ACCURATE
17 VOTER REGISTRATION LISTS.**

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

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

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

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

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

33 SECTION 2. AND BE IT FURTHER ENACTED, That:

1 (a) In this section, “fully automated voter registration system” means a voter
2 registration system at the Motor Vehicle Administration that:

3 (1) eliminates the use of paper voter registration forms by requiring
4 each applicant who wishes to register to vote or update a voter registration record
5 during a driver’s license or identification card transaction or other transaction to
6 electronically submit all the information required to register or update the applicant’s
7 registration at the time of the transaction; and

8 (2) transmits the information submitted under item (1) of this
9 subsection electronically directly to elections officials.

10 (b) The State Board of Elections and the Motor Vehicle Administration shall
11 jointly submit a report to the House Committee on Ways and Means, Senate
12 Education, Health, and Environmental Affairs Committee, House Appropriations
13 Committee, and Senate Budget and Taxation Committee by October 1, 2011,
14 concerning actions taken and plans made to implement a fully automated voter
15 registration system at the Motor Vehicle Administration.

16 (c) The report submitted under this section shall include:

17 (1) a detailed timeline for complete implementation of a fully
18 automated voter registration system at the Motor Vehicle Administration;

19 (2) a detailed estimate of the fiscal impact of implementing a fully
20 automated voter registration system; and

21 (3) any other issues relating to the implementation of a fully
22 automated voter registration system that the State Board of Elections and the Motor
23 Vehicle Administration consider relevant.

24 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect June 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.