

# HOUSE BILL 740

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CF SB 806

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By: **Delegates Cardin and Rosenberg**  
Introduced and read first time: February 10, 2011  
Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Online Voter Registration**

3 FOR the purpose of authorizing an individual to apply to become a registered voter  
4 through an online voter registration system; requiring the State Board of  
5 Elections to operate an online voter registration system that allows an  
6 individual to apply to register to vote and make certain changes in the  
7 individual's existing voter registration record; requiring an individual who  
8 applies to register to vote through the online voter registration system, or who  
9 makes certain changes in the individual's existing voter registration record  
10 through the online voter registration system, to follow certain procedures and  
11 provide certain information; requiring the Motor Vehicle Administration to  
12 transmit to the State Board an electronic copy of the signature of an individual  
13 who submits a voter registration application through the online voter  
14 registration system within a certain period of time; authorizing the State Board  
15 to take certain actions to ensure the accuracy and integrity of voter registration  
16 applications submitted through the online voter registration system;  
17 authorizing the State Board to adopt regulations as necessary to administer the  
18 online voter registration system; clarifying that notification of a change of party  
19 affiliation or a change to or from a decline may be made by certain methods,  
20 including through the online voter registration system; making conforming  
21 changes; and generally relating to online voter registration.

22 BY repealing and reenacting, with amendments,  
23 Article – Election Law  
24 Section 3–201 and 3–303  
25 Annotated Code of Maryland  
26 (2010 Replacement Volume)

27 BY adding to  
28 Article – Election Law  
29 Section 3–204.1

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



1 Annotated Code of Maryland  
2 (2010 Replacement Volume)

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

5 **Article – Election Law**

6 3–201.

7 (a) An individual may apply to become a registered voter:

8 (1) at a local board office or the State Board office;

9 (2) at a registration site administered by a local board;

10 (3) by mail;

11 (4) when applying to the Motor Vehicle Administration for the  
12 issuance, renewal, or modification of a driver’s license or identification card;

13 (5) when applying for services at a voter registration agency; [or]

14 **(6) THROUGH THE STATE BOARD’S ONLINE VOTER**  
15 **REGISTRATION SYSTEM; OR**

16 **[(6)] (7)** with the assistance of a volunteer authorized by the State or  
17 local board.

18 (b) An individual who is at least 18 years old or will be 18 years old on or  
19 before the day of the next succeeding general or special election may be a volunteer  
20 under subsection [(a)(6)](A)(7) of this section.

21 **3–204.1.**

22 **(A) THE STATE BOARD SHALL OPERATE AN ONLINE VOTER**  
23 **REGISTRATION SYSTEM THAT ALLOWS AN INDIVIDUAL TO ELECTRONICALLY:**

24 **(1) APPLY TO BECOME A REGISTERED VOTER; OR**

25 **(2) CHANGE THE INDIVIDUAL’S NAME, ADDRESS, OR PARTY**  
26 **AFFILIATION IN THE INDIVIDUAL’S EXISTING VOTER REGISTRATION RECORD.**

27 **(B) TO APPLY TO REGISTER TO VOTE THROUGH THE ONLINE VOTER**  
28 **REGISTRATION SYSTEM, AN INDIVIDUAL SHALL:**

1           (1) COMPLETE THE ELECTRONIC VOTER REGISTRATION  
2 APPLICATION;

3           (2) AFFIRMATIVELY ATTEST, SUBJECT TO THE PENALTIES OF  
4 PERJURY, THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION  
5 APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL OF THE  
6 QUALIFICATIONS TO BECOME A REGISTERED VOTER;

7           (3) PROVIDE ONE OF THE FOLLOWING:

8                   (I) A MARYLAND DRIVER'S LICENSE NUMBER OR  
9 MARYLAND IDENTIFICATION CARD NUMBER; OR

10                   (II) IF THE INDIVIDUAL IS AN ABSENT UNIFORMED  
11 SERVICES VOTER OR OVERSEAS VOTER AS DEFINED IN THE FEDERAL  
12 UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AND DOES NOT  
13 HAVE A MARYLAND DRIVER'S LICENSE OR MARYLAND IDENTIFICATION CARD, A  
14 SOCIAL SECURITY NUMBER; AND

15           (4) AFFIRMATIVELY CONSENT TO THE USE OF ONE OF THE  
16 FOLLOWING AS THE INDIVIDUAL'S SIGNATURE FOR THE APPLICATION BEING  
17 SUBMITTED:

18                   (I) THE ELECTRONIC COPY OF THE INDIVIDUAL'S  
19 SIGNATURE THAT IS ON FILE WITH THE MOTOR VEHICLE ADMINISTRATION; OR

20                   (II) THE INDIVIDUAL'S SOCIAL SECURITY NUMBER.

21           (C) TO CHANGE AN INDIVIDUAL'S NAME, ADDRESS, OR PARTY  
22 AFFILIATION IN THE INDIVIDUAL'S EXISTING VOTER REGISTRATION RECORD, AN  
23 INDIVIDUAL SHALL:

24           (1) COMPLETE THE ELECTRONIC VOTER REGISTRATION  
25 APPLICATION;

26           (2) AFFIRMATIVELY ATTEST, SUBJECT TO THE PENALTIES OF  
27 PERJURY, THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION  
28 APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL OF THE  
29 QUALIFICATIONS TO BE A REGISTERED VOTER;

30           (3) PROVIDE ONE OF THE FOLLOWING:

31                   (I) A MARYLAND DRIVER'S LICENSE NUMBER OR  
32 MARYLAND IDENTIFICATION CARD NUMBER;

1                   **(II) A MARYLAND VOTER IDENTIFICATION NUMBER ON THE**  
2 **INDIVIDUAL'S VOTER NOTIFICATION CARD; OR**

3                   **(III) IF THE INDIVIDUAL IS AN ABSENT UNIFORMED**  
4 **SERVICES VOTER OR OVERSEAS VOTER AS DEFINED IN THE FEDERAL**  
5 **UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AND DOES NOT**  
6 **HAVE A MARYLAND DRIVER'S LICENSE OR MARYLAND IDENTIFICATION CARD, A**  
7 **SOCIAL SECURITY NUMBER; AND**

8                   **(4) AFFIRMATIVELY CONSENT TO THE USE OF ONE OF THE**  
9 **FOLLOWING AS THE INDIVIDUAL'S SIGNATURE FOR THE APPLICATION BEING**  
10 **SUBMITTED:**

11                   **(I) THE ELECTRONIC COPY OF THE INDIVIDUAL'S**  
12 **SIGNATURE THAT IS ON FILE WITH THE MOTOR VEHICLE ADMINISTRATION;**

13                   **(II) THE ELECTRONIC COPY OF THE INDIVIDUAL'S**  
14 **SIGNATURE THAT IS ON FILE IN THE STATEWIDE VOTER REGISTRATION LIST; OR**

15                   **(III) THE INDIVIDUAL'S SOCIAL SECURITY NUMBER.**

16                   **(D) THE MOTOR VEHICLE ADMINISTRATION SHALL TRANSMIT AN**  
17 **ELECTRONIC COPY OF AN INDIVIDUAL'S DRIVER'S LICENSE OR IDENTIFICATION**  
18 **CARD SIGNATURE TO THE STATE BOARD WITHIN 5 DAYS OF BEING NOTIFIED BY**  
19 **THE STATE BOARD THAT THE INDIVIDUAL SUBMITTED A VOTER REGISTRATION**  
20 **APPLICATION THROUGH THE ONLINE VOTER REGISTRATION SYSTEM.**

21                   **(E) THE STATE BOARD MAY:**

22                   **(1) TAKE ANY ADDITIONAL MEASURES IT DEEMS NECESSARY TO**  
23 **ENSURE THE INTEGRITY AND ACCURACY OF VOTER REGISTRATION**  
24 **APPLICATIONS SUBMITTED THROUGH THE ONLINE VOTER REGISTRATION**  
25 **SYSTEM; AND**

26                   **(2) ADOPT ANY REGULATIONS NECESSARY TO ADMINISTER THE**  
27 **ONLINE VOTER REGISTRATION SYSTEM.**

28 3-303.

29                   **(a) [A local board, at the signed request of a registered voter, shall change**  
30 **that voter's party affiliation, or change the voter to or from a decline, at any time that**  
31 **registration is open.] NOTIFICATION OF A CHANGE OF PARTY AFFILIATION OR A**  
32 **CHANGE TO OR FROM A DECLINE MAY BE MADE:**

1           **(1) BY INFORMATION PROVIDED ON A VOTER REGISTRATION**  
2 **APPLICATION BY THE SAME METHODS PROVIDED FOR REGISTRATION UNDER**  
3 **SUBTITLE 2 OF THIS TITLE;**

4           **(2) BY WRITTEN NOTICE, SIGNED BY THE VOTER AND SENT BY**  
5 **MAIL OR OTHERWISE DELIVERED TO THE LOCAL BOARD IN THE COUNTY WHERE**  
6 **THE VOTER'S CURRENT VOTER REGISTRATION ADDRESS IS LOCATED OR TO**  
7 **WHICH THE VOTER HAS MOVED;**

8           **(3) BY MAKING APPLICATION IN PERSON AT THE OFFICE OF THE**  
9 **LOCAL BOARD IN THE COUNTY WHERE THE VOTER'S CURRENT VOTER**  
10 **REGISTRATION ADDRESS IS LOCATED OR TO WHICH THE VOTER HAS MOVED;**

11           **(4) BY INFORMATION ON A VOTER AUTHORITY CARD OR OTHER**  
12 **APPROPRIATE FORM FILLED OUT IN A POLLING PLACE; OR**

13           **(5) BY CHANGING A NAME OR ADDRESS WITH THE MOTOR**  
14 **VEHICLE ADMINISTRATION.**

15           **(B) PARTY AFFILIATION CHANGES OR CHANGES TO OR FROM A**  
16 **DECLINE:**

17           **(1) SHALL BE PROCESSED AT ANY TIME THAT REGISTRATION IS**  
18 **OPEN; AND**

19           **(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,**  
20 **MAY NOT BE PROCESSED WHEN REGISTRATION IS CLOSED.**

21           **[(b)] (C)** If a local board receives a request for a party affiliation change  
22 after the close of registration, the local board shall make the change and it shall  
23 become effective for the next election provided:

24           (1) there is sufficient evidence, as determined by the local boards  
25 pursuant to regulations adopted by the State Board, that the request was mailed on or  
26 before the close of registration for that election; or

27           (2) the request was submitted by the voter to the Motor Vehicle  
28 Administration, a voter registration agency, another local board, or the State Board on  
29 or before the close of registration for that election.

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