

HOUSE BILL 740

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11r2284
CF SB 806

By: **Delegates Cardin and Rosenberg**

Introduced and read first time: February 10, 2011

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2011

CHAPTER _____

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~~ authorizing the State
5 Board of 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

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 Annotated Code of Maryland
2 (2010 Replacement Volume)

3 BY adding to
4 Article – Election Law
5 Section 3–204.1
6 Annotated Code of Maryland
7 (2010 Replacement Volume)

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

10 **Article – Election Law**

11 3–201.

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

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

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

15 (3) by mail;

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

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

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

21 **[(6)] (7)** with the assistance of a volunteer authorized by the State or
22 local board.

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

26 **3–204.1.**

27 **(A) THE STATE BOARD ~~SHALL~~ MAY OPERATE AN ONLINE VOTER**
28 **REGISTRATION SYSTEM THAT ALLOWS AN INDIVIDUAL TO ELECTRONICALLY:**

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

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

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

5 **(1) COMPLETE THE ELECTRONIC VOTER REGISTRATION**
6 **APPLICATION;**

7 **(2) AFFIRMATIVELY ATTEST, SUBJECT TO THE PENALTIES OF**
8 **PERJURY, THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION**
9 **APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL OF THE**
10 **QUALIFICATIONS TO BECOME A REGISTERED VOTER;**

11 **(3) PROVIDE ONE OF THE FOLLOWING:**

12 **(I) A MARYLAND DRIVER'S LICENSE NUMBER OR**
13 **MARYLAND IDENTIFICATION CARD NUMBER; OR**

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

19 **(4) AFFIRMATIVELY CONSENT TO THE USE OF ONE OF THE**
20 **FOLLOWING AS THE INDIVIDUAL'S SIGNATURE FOR THE APPLICATION BEING**
21 **SUBMITTED:**

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

24 **(II) THE INDIVIDUAL'S SOCIAL SECURITY NUMBER.**

25 **(C) TO CHANGE AN INDIVIDUAL'S NAME, ADDRESS, OR PARTY**
26 **AFFILIATION IN THE INDIVIDUAL'S EXISTING VOTER REGISTRATION RECORD, AN**
27 **INDIVIDUAL SHALL:**

28 **(1) COMPLETE THE ELECTRONIC VOTER REGISTRATION**
29 **APPLICATION;**

30 **(2) AFFIRMATIVELY ATTEST, SUBJECT TO THE PENALTIES OF**
31 **PERJURY, THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION**

1 APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL OF THE
2 QUALIFICATIONS TO BE A REGISTERED VOTER;

3 (3) PROVIDE ONE OF THE FOLLOWING:

4 (I) A MARYLAND DRIVER'S LICENSE NUMBER OR
5 MARYLAND IDENTIFICATION CARD NUMBER;

6 (II) A MARYLAND VOTER IDENTIFICATION NUMBER ON THE
7 INDIVIDUAL'S VOTER NOTIFICATION CARD; OR

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

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

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

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

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

21 (D) THE MOTOR VEHICLE ADMINISTRATION SHALL TRANSMIT AN
22 ELECTRONIC COPY OF AN INDIVIDUAL'S DRIVER'S LICENSE OR IDENTIFICATION
23 CARD SIGNATURE TO THE STATE BOARD WITHIN 5 DAYS OF BEING NOTIFIED BY
24 THE STATE BOARD THAT THE INDIVIDUAL SUBMITTED A VOTER REGISTRATION
25 APPLICATION THROUGH THE ONLINE VOTER REGISTRATION SYSTEM.

26 (E) THE STATE BOARD MAY:

27 (1) TAKE ANY ADDITIONAL MEASURES IT DEEMS NECESSARY TO
28 ENSURE THE INTEGRITY AND ACCURACY OF VOTER REGISTRATION
29 APPLICATIONS SUBMITTED THROUGH THE ONLINE VOTER REGISTRATION
30 SYSTEM; AND

31 (2) ADOPT ANY REGULATIONS NECESSARY TO ADMINISTER THE
32 ONLINE VOTER REGISTRATION SYSTEM.

1 3-303.

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

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

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

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

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

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

20 (B) **PARTY AFFILIATION CHANGES OR CHANGES TO OR FROM A
21 DECLINE:**

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

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.