

SENATE BILL 765

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11r2565
CF HB 561

By: Senators Young, King, Madaleno, and Rosapepe ~~and Rosapepe~~ Rosapepe, Montgomery, Forehand, Colburn, Manno, and Ferguson

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate 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; 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:

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.



Article – Election Law

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3–101.

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

(b) The statewide voter registration list shall:

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

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

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

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

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

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

(c) The State Administrator shall:

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

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

(3) instruct the local boards on:

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

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

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

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

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

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

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

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

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

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

25 [(e)](F) A registered voter:

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

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

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