

SENATE BILL 806

G1

11r2564
CF HB 740

By: ~~Senator Young~~ Senators Young, Peters, Currie, Madaleno, Rosapepe, King, 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: April 3, 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; requiring that not more than a certain amount of the funds in the Fair
22 Campaign Financing Fund be transferred to the State Board of Elections for
23 certain fiscal years for the purpose of implementing an online voter registration
24 system; requiring that funds transferred from the Fair Campaign Financing

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 Fund be used to pay certain costs that would otherwise be paid by local
 2 governments; requiring that any funds transferred from the Fair Campaign
 3 Financing Fund that are not used to implement an online voter registration
 4 system revert to the Fair Campaign Financing Fund; and generally relating to
 5 online voter registration.

6 BY repealing and reenacting, with amendments,
 7 Article – Election Law
 8 Section 3–201 and 3–303
 9 Annotated Code of Maryland
 10 (2010 Replacement Volume)

11 BY adding to
 12 Article – Election Law
 13 Section 3–204.1
 14 Annotated Code of Maryland
 15 (2010 Replacement Volume)

16 BY repealing and reenacting, without amendments,
 17 Chapter 487 of the Acts of the General Assembly of 2009, as amended by
 18 Chapter 484 of the Acts of the General Assembly of 2010
 19 Section 38(a) and (c)

20 BY adding to
 21 Chapter 487 of the Acts of the General Assembly of 2009, as amended by
 22 Chapter 484 of the Acts of the General Assembly of 2010
 23 Section 38(l)

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

26 **Article – Election Law**

27 3–201.

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

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

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

31 (3) by mail;

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

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

1 **(6) THROUGH THE STATE BOARD'S ONLINE VOTER**
2 **REGISTRATION SYSTEM; OR**

3 **[(6)] (7)** with the assistance of a volunteer authorized by the State or
4 local board.

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

8 **3-204.1.**

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

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

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

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

16 **(1) COMPLETE THE ELECTRONIC VOTER REGISTRATION**
17 **APPLICATION;**

18 **(2) AFFIRMATIVELY ATTEST, SUBJECT TO THE PENALTIES OF**
19 **PERJURY, THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION**
20 **APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL OF THE**
21 **QUALIFICATIONS TO BECOME A REGISTERED VOTER;**

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

23 **(I) A MARYLAND DRIVER'S LICENSE NUMBER OR**
24 **MARYLAND IDENTIFICATION CARD NUMBER; OR**

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

1 **(4) AFFIRMATIVELY CONSENT TO THE USE OF ONE OF THE**
2 **FOLLOWING AS THE INDIVIDUAL'S SIGNATURE FOR THE APPLICATION BEING**
3 **SUBMITTED:**

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

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

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

10 **(1) COMPLETE THE ELECTRONIC VOTER REGISTRATION**
11 **APPLICATION;**

12 **(2) AFFIRMATIVELY ATTEST, SUBJECT TO THE PENALTIES OF**
13 **PERJURY, THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION**
14 **APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL OF THE**
15 **QUALIFICATIONS TO BE A REGISTERED VOTER;**

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

17 **(I) A MARYLAND DRIVER'S LICENSE NUMBER OR**
18 **MARYLAND IDENTIFICATION CARD NUMBER;**

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

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

26 **(4) AFFIRMATIVELY CONSENT TO THE USE OF ONE OF THE**
27 **FOLLOWING AS THE INDIVIDUAL'S SIGNATURE FOR THE APPLICATION BEING**
28 **SUBMITTED:**

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

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

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

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

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

8 **(1) TAKE ANY ADDITIONAL MEASURES IT DEEMS NECESSARY TO**
9 **ENSURE THE INTEGRITY AND ACCURACY OF VOTER REGISTRATION**
10 **APPLICATIONS SUBMITTED THROUGH THE ONLINE VOTER REGISTRATION**
11 **SYSTEM; AND**

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

14 3-303.

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

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

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

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

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

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

1 **(3) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN**
2 **FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER THIS**
3 **SUBSECTION THAT ARE NOT USED TO PAY THE COST OF IMPLEMENTING AN**
4 **ONLINE VOTER REGISTRATION SYSTEM MAY NOT BE RETAINED BY THE STATE**
5 **BOARD OF ELECTIONS AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING**
6 **FUND.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.