

# HOUSE BILL 49

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(PRE-FILED)

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By: **Delegate B. Robinson**

Requested: November 13, 2012

Introduced and read first time: January 9, 2013

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Petitions – Confidentiality**

3 FOR the purpose of prohibiting a sponsor or circulator of a petition from disclosing to  
4 the public certain information that an individual includes on a petition;  
5 prohibiting public inspection of a petition after the petition is filed with the  
6 State Board of Elections or a county board of elections, with a certain exception;  
7 requiring a custodian to permit a person to inspect a petition if the person  
8 requires access to the petition to facilitate judicial review of a determination  
9 concerning the sufficiency of the petition; providing that a custodian may not  
10 disclose personal information contained in a petition to the general public;  
11 defining a certain term; and generally relating to the confidentiality of petitions.

12 BY repealing and reenacting, without amendments,  
13 Article – Election Law  
14 Section 6–101(d) and (j) and 6–205(a)(1)  
15 Annotated Code of Maryland  
16 (2010 Replacement Volume and 2012 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Election Law  
19 Section 6–203(a)  
20 Annotated Code of Maryland  
21 (2010 Replacement Volume and 2012 Supplement)

22 BY adding to  
23 Article – Election Law  
24 Section 6–205(e)  
25 Annotated Code of Maryland  
26 (2010 Replacement Volume and 2012 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – State Government  
3 Section 10–616(v)  
4 Annotated Code of Maryland  
5 (2009 Replacement Volume and 2012 Supplement)

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

8 **Article – Election Law**

9 6–101.

10 (d) “Circulator” means an individual who attests to one or more signatures  
11 affixed to a petition.

12 (j) “Sponsor” means the person who coordinates the collection of signatures  
13 for a petition and who, if the petition is filed, is named on the information page as  
14 required by § 6–201 of this title.

15 6–203.

16 (a) **(1)** To sign a petition, an individual shall:

17 **[(1)] (I)** sign the individual’s name as it appears on the statewide  
18 voter registration list or the individual’s surname of registration and at least one full  
19 given name and the initials of any other names; and

20 **[(2)] (II)** include the following information, printed or typed, in the  
21 spaces provided:

22 **[(i)] 1.** the signer’s name as it was signed;

23 **[(ii)] 2.** the signer’s address;

24 **[(iii)] 3.** the date of signing; and

25 **[(iv)] 4.** other information required by regulations adopted by  
26 the State Board.

27 **(2) A SPONSOR OR CIRCULATOR MAY NOT DISCLOSE TO THE**  
28 **PUBLIC THE NAME OR ADDRESS THAT AN INDIVIDUAL INCLUDES ON A PETITION**  
29 **UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

30 6–205.

1 (a) (1) Unless otherwise required by the Maryland Constitution, a  
2 petition shall be filed, in person by or on behalf of the sponsor, in the office of the  
3 appropriate election authority.

4 (E) SUBSEQUENT TO THE FILING OF A PETITION WITH THE  
5 APPROPRIATE ELECTION AUTHORITY, THE PETITION IS NOT SUBJECT TO  
6 PUBLIC INSPECTION EXCEPT TO THE EXTENT PROVIDED IN § 10-616(V) OF THE  
7 STATE GOVERNMENT ARTICLE.

8 Article – State Government

9 10-616.

10 (V) (1) IN THIS SUBSECTION, “PETITION” HAS THE MEANING STATED  
11 IN § 6-101(I) OF THE ELECTION LAW ARTICLE.

12 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
13 SUBSECTION, A CUSTODIAN SHALL DENY INSPECTION OF A PETITION AFTER THE  
14 PETITION IS FILED WITH THE STATE BOARD OF ELECTIONS OR A COUNTY  
15 BOARD OF ELECTIONS.

16 (3) (I) A CUSTODIAN SHALL PERMIT A PERSON TO INSPECT A  
17 PETITION IF THE PERSON REQUIRES ACCESS TO THE PETITION TO FACILITATE  
18 JUDICIAL REVIEW OF A DETERMINATION CONCERNING THE SUFFICIENCY OF  
19 THE PETITION UNDER § 6-209 OF THE ELECTION LAW ARTICLE.

20 (II) THIS PARAGRAPH DOES NOT AUTHORIZE A CUSTODIAN  
21 TO DISCLOSE PERSONAL INFORMATION CONTAINED IN A PETITION TO THE  
22 GENERAL PUBLIC.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2013.