

SENATE BILL 15

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4lr0473

(PRE-FILED)

By: **Senators Jacobs and Ferguson**

Requested: September 5, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration List – Reports of Deceased Voters**

3 FOR the purpose of requiring the State Administrator of Elections to arrange to
4 receive reports of certain deceased individuals from the United States Social
5 Security Administration; authorizing the State Administrator to arrange to
6 receive reports of certain deceased individuals from any agency or entity if the
7 State Administrator determines the reports are reliable; and generally relating
8 to obtaining reports of deceased voters for purposes of maintaining the accuracy
9 of the statewide voter registration list.

10 BY repealing and reenacting, without amendments,
11 Article – Election Law
12 Section 3–501
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2013 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Election Law
17 Section 3–504
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2013 Supplement)

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

22 **Article – Election Law**

23 3–501.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 An election director may remove a voter from the statewide voter registration
2 list only:

3 (1) at the request of the voter, provided the request is:

4 (i) signed by the voter;

5 (ii) authenticated by the election director; and

6 (iii) in a format acceptable to the State Board or on a
7 cancellation notice provided by the voter on a voter registration application;

8 (2) upon determining, based on information provided pursuant to §
9 3-504 of this subtitle, that the voter is no longer eligible because:

10 (i) the voter is not qualified to be a registered voter as provided
11 in § 3-102(b) of this title; or

12 (ii) the voter is deceased;

13 (3) if the voter has moved outside the State, as determined by
14 conducting the procedures established in § 3-502 of this subtitle; or

15 (4) if, in accordance with the administrative complaint process under §
16 3-602 of this title, the State Administrator or the State Administrator's designee has
17 determined that the voter is not qualified to be registered to vote.

18 3-504.

19 (a) (1) (i) Information from the agencies specified in this paragraph
20 shall be reported to the State Administrator in a format and at times prescribed by the
21 State Board.

22 (ii) The Department of Health and Mental Hygiene shall report
23 the names and residence addresses (if known) of all individuals at least 16 years of age
24 reported deceased within the State since the date of the last report.

25 (iii) The clerk of the circuit court for each county and the
26 administrative clerk for each District Court shall report the names and addresses of
27 all individuals convicted, in the respective court, of a felony since the date of the last
28 report.

29 (iv) The clerk of the circuit court for each county shall report the
30 former and present names and residence addresses (if known) of all individuals whose
31 names have been changed by decree or order of the court since the date of the last
32 report.

1 (2) The State Administrator shall make arrangements with the clerk
2 of the United States District Court for the District of Maryland to receive reports of
3 names and addresses, if available, of individuals convicted of a felony in that court.

4 **(3) THE STATE ADMINISTRATOR SHALL MAKE ARRANGEMENTS**
5 **WITH THE UNITED STATES SOCIAL SECURITY ADMINISTRATION TO RECEIVE**
6 **REPORTS OF NAMES AND ADDRESSES, IF AVAILABLE, OF ALL INDIVIDUALS AT**
7 **LEAST 16 YEARS OLD WHO ARE REPORTED DECEASED WITHIN THE STATE.**

8 **(4) THE STATE ADMINISTRATOR MAY MAKE ARRANGEMENTS**
9 **WITH ANY AGENCY OR ENTITY TO RECEIVE REPORTS OF INDIVIDUALS AT LEAST**
10 **16 YEARS OLD WHO ARE REPORTED DECEASED IF THE STATE ADMINISTRATOR**
11 **DETERMINES THE REPORTS ARE RELIABLE.**

12 (b) (1) The State Administrator shall transmit to the appropriate local
13 board information gathered pursuant to subsection (a) of this section.

14 (2) Every agency or instrumentality of any county which acquires or
15 condemns or razes or causes to be condemned or razed any building used as a
16 residence within the county shall promptly report this fact and the location of the
17 building to the local board in the county or city.

18 (3) Registration cancellation information provided by an applicant on
19 any voter registration application shall be provided to the appropriate local board by
20 the State Administrator or another local board.

21 (4) A local board may:

22 (i) make arrangements to receive change of address
23 information from an entity approved by the State Board; and

24 (ii) pay a reasonable fee to the entity for the information.

25 (c) (1) Whenever a local board becomes aware of an obituary or any other
26 reliable report of the death of a registered voter, the election director shall mail a
27 notice to the registered voter, as prescribed by the State Board, to verify whether the
28 voter is in fact deceased.

29 (2) On receipt of a verification of the death of a voter, provided in
30 accordance with the notice mailed under paragraph (1) of this subsection, the election
31 director may remove the voter from the statewide voter registration list under § 3-501
32 of this subtitle.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2014.