

HOUSE BILL 253

G1

5lr1045

By: **Delegate McDonough**

Introduced and read first time: February 4, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration – Interstate Crosscheck Program**

3 FOR the purpose of requiring the State Board of Elections to execute a memorandum of
4 agreement to participate in the Interstate Crosscheck Program; requiring the State
5 Board to utilize the data obtained through the Interstate Crosscheck Program for
6 certain purposes; defining a certain term; and generally relating to participation in
7 the Interstate Crosscheck Program.

8 BY repealing and reenacting, with amendments,

9 Article – Election Law

10 Section 3–101

11 Annotated Code of Maryland

12 (2010 Replacement Volume and 2014 Supplement)

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

15 **Article – Election Law**

16 3–101.

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

18 (b) The statewide voter registration list shall:

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

8 (c) The State Administrator shall:

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

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

12 (3) instruct the local boards on:

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

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

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

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

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

25 (e) (1) A State agency shall provide any data to the State Board that the State
26 Administrator determines is necessary to maintain an accurate statewide voter
27 registration list.

28 (2) Subject to paragraph (3) of this subsection, the State Board may not
29 disclose data provided under paragraph (1) of this subsection except as provided in Title 4
30 of the General Provisions Article.

1 (3) (i) The State Board may enter into agreements with other states to
2 exchange any data that the State Administrator determines is relevant to maintaining
3 accurate voter registration lists.

4 (ii) The State Board may exchange data that is not subject to public
5 disclosure under Title 4 of the General Provisions Article with other persons as the State
6 Administrator determines is necessary for the sole purpose of maintaining accurate voter
7 registration lists.

8 (iii) A person who receives data that is not subject to public disclosure
9 under Title 4 of the General Provisions Article under this paragraph may not use or
10 redisclose that data except for the purpose of maintaining accurate voter registration lists.

11 (4) (i) **IN THIS PARAGRAPH, “INTERSTATE CROSSCHECK**
12 **PROGRAM” MEANS A COLLABORATION AMONG STATES THAT HAVE SIGNED A**
13 **MEMORANDUM OF AGREEMENT TO COMPARE VOTER REGISTRATION DATA FOR THE**
14 **PURPOSE OF IDENTIFYING POSSIBLE:**

15 1. **DUPLICATE VOTER REGISTRATION RECORDS; AND**

16 2. **INSTANCES OF INDIVIDUALS WHO VOTED MORE THAN**
17 **ONCE IN THE SAME ELECTION.**

18 **(II) THE STATE BOARD SHALL EXECUTE A MEMORANDUM OF**
19 **AGREEMENT TO PARTICIPATE IN THE INTERSTATE CROSSCHECK PROGRAM.**

20 **(III) THE STATE BOARD SHALL UTILIZE THE DATA OBTAINED**
21 **THROUGH PARTICIPATION IN THE INTERSTATE CROSSCHECK PROGRAM TO:**

22 1. **REMOVE INELIGIBLE INDIVIDUALS FROM THE VOTER**
23 **REGISTRATION LIST IN ACCORDANCE WITH THE APPLICABLE LAWS AND**
24 **REGULATIONS; AND**

25 2. **REFER SUSPECTED INSTANCES OF INDIVIDUALS WHO**
26 **VOTED MORE THAN ONCE IN THE SAME ELECTION TO THE APPROPRIATE**
27 **PROSECUTING AUTHORITY.**

28 (f) A registered voter:

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

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2015.