

SB0011/704735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 11

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Freedom to Vote Act”; strike beginning with “requiring” in line 3 down through “registration.” in line 20 and substitute “requiring certain State agencies that are deemed electronic voter registration agencies to implement electronic voter registration systems on or before a certain date; requiring an electronic voter registration system to comply with certain requirements; requiring the State Board of Elections to register individuals whose voter registration information is transmitted to the State Board through an electronic voter registration system; prohibiting an agent of an electronic voter registration agency who is responsible for carrying out certain voter registration functions from taking certain actions; restricting the use of certain data related to voter registration; authorizing the State Board to adopt regulations to implement electronic voter registration systems; requiring an electronic voter registration agency to submit certain reports to certain committees of the General Assembly on or before certain dates; designating all one-stop career centers in the Department of Labor, Licensing, and Regulation as voter registration agencies; providing that voter registration agencies that are subject to certain requirements are not subject to certain provisions of law; requiring voter registration agencies to ensure that certain applications for service or assistance may not be completed until the applicant has indicated whether the applicant wishes to register to vote; requiring a public institution of higher education to provide a link to the online voter registration system on the home page of the online portal used by students to register for course work; requiring the Maryland Higher Education Commission to submit certain reports to certain committees of the General Assembly; requiring the Department of Labor, Licensing, and Regulation to submit certain reports concerning voter registration at one-stop career centers to certain committees of the General Assembly on or before certain dates; requiring the State Board and the Department of Natural Resources to develop procedures for applicants who apply for any license, permit, or certificate online to register to vote through a link to the online”

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 2 of 29**

voter registration system; requiring the State Board and the Department of Veterans Affairs to develop procedures for individuals who use the Department of Veterans Affairs Web site or who are contacted through a certain program to register to vote through a link to the online voter registration system; requiring the State Board and the Department of Human Resources to develop and implement procedures for certain individuals who use the Department's electronic portal for certain purposes to be offered the opportunity to register to vote through a link to the State Board's online voter registration system; requiring the State Board and the Department of Labor, Licensing, and Regulation to develop procedures for individuals who use the Maryland Workforce Exchange Web site to register to vote through a link to the online voter registration system; requiring the State Board to adopt certain regulations regarding participants in address confidentiality programs; authorizing the disclosure of information concerning an applicant for certain services and public assistance programs as necessary to administer electronic voter registration; requiring certain agencies to take certain actions to train employees of the agency concerning the requirements of this Act; repealing certain provisions of law relating to voter registration at the Motor Vehicle Administration; requiring the Attorney General to request certain determinations from the United States Department of Labor and the Internal Revenue Service; making certain provisions of this Act contingent on certain determinations made by the United States Department of Labor; requiring the Department of Information Technology and the State Board of Elections to conduct a certain study; defining certain terms; and generally relating to voter registration."

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 12 on page 2 and substitute:

"BY adding to

Article - Election Law

Section 1-101(b-1), 3-203, 3-204(a-1), (c), and (j), and 3-204.2

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 3 of 29**

BY repealing and reenacting, without amendments,

Article - Election Law

Section 1-101(y) and 3-204(a)(1) and (3), (d), (e), (g), (h), and (i)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article - Election Law

Section 3-102

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of 2016)

BY repealing

Article - Election Law

Section 3-203 and 3-204(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Election Law

Section 3-204(a)(2), (b), and (f) and 3-506

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Human Services

Section 1-201

Annotated Code of Maryland

(2007 Volume and 2015 Supplement)”.

AMENDMENT NO. 2

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 4 of 29**

On pages 2 through 10, strike in their entirety the lines beginning with line 16 on page 2 through line 32 on page 10, inclusive, and substitute:

“1-101.

(B-1) “ADDRESS CONFIDENTIALITY PROGRAM” MEANS:

(1) THE ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE UNDER TITLE 4, SUBTITLE 5, PART IV OF THE FAMILY LAW ARTICLE; OR

(2) THE HUMAN TRAFFICKING ADDRESS CONFIDENTIALITY PROGRAM UNDER TITLE 7, SUBTITLE 3 OF THE STATE GOVERNMENT ARTICLE.

(y) “Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

3-102.

(a) (1) Except as provided in subsection (b) of this section, an individual may become registered to vote if the individual:

(i) is a citizen of the United States;

(ii) is at least 16 years old;

(iii) is a resident of the State as of the day the individual seeks to register; and

(iv) registers pursuant to this title.

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 5 of 29**

(2) Notwithstanding paragraph (1)(ii) of this subsection, an individual under the age of 18 years:

(i) may vote in a primary election in which candidates are nominated for a general or special election that will occur when the individual is at least 18 years old; and

(ii) may not vote in any other election.

(b) An individual is not qualified to be a registered voter if the individual:

(1) has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction;

(2) is under guardianship for mental disability and a court of competent jurisdiction has specifically found by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process; or

(3) has been convicted of buying or selling votes.

[3-203.

(a) The Motor Vehicle Administration shall provide the opportunity to apply to register to vote or update a voter registration record to each individual who:

(1) applies for or renews a driver's license or identification card; or

(2) changes a name or address on an existing driver's license or identification card.

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 6 of 29**

(b) (1) The Motor Vehicle Administration shall inquire orally or in writing whether the applicant wishes to register to vote or update a voter registration record during the transactions specified under subsection (a) of this section.

(2) If the applicant chooses to register to vote or to update a voter registration record:

(i) all applicable information received by the Motor Vehicle Administration in the course of completing a transaction under subsection (a) of this section shall be transferred to a voter registration application;

(ii) any additional necessary information shall be obtained by the Motor Vehicle Administration and may not duplicate any information already obtained while completing a transaction under subsection (a) of this section; and

(iii) a voter registration application with all of the applicant's voter registration information shall be presented to the applicant to sign or affirm electronically.

(3) (i) An applicant may decline to register to vote, update the applicant's voter registration record, or change the applicant's name or address by:

1. affirmatively indicating as such on the application; or

2. failing to sign the voter registration application.

(ii) The Motor Vehicle Administration shall maintain declination information in a manner specified jointly by the Motor Vehicle Administration and the State Board.

(4) Within 5 days of the receipt of an application under subsection (a) of this section, the Motor Vehicle Administration shall forward to the State Board the voter

SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 7 of 29

registration information in a manner and format specified jointly by the Motor Vehicle Administration and the State Board.

(c) (1) (i) In consultation with the Motor Vehicle Administration, the State Board shall prepare a voter registration application to be used for voter registration at the Motor Vehicle Administration.

(ii) Except as provided in this section, the voter registration portion of the application may not require information that duplicates information required in the driver's license or identification card portion of the application.

(2) The voter registration portion of the application shall:

(i) contain the same information as the statewide voter registration application prescribed in § 3-202(a) of this subtitle; and

(ii) require only the minimum amount of information necessary, including the applicant's telephone number:

1. to prevent duplicate voter registration; and

2. to enable the appropriate election official to assess the eligibility of an applicant and to administer voter registration and other aspects of the election process.

(3) The application shall contain a box for the applicant to check, with the statement, "I do not wish to register to vote at this time".

(d) The Motor Vehicle Administration shall follow the procedures established jointly by the Motor Vehicle Administration and the State Board to process the voter registration information received under this section.

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 8 of 29**

(e) Information relating to the failure of an applicant for a driver's license or identification card to register to vote may not be used for any purpose other than the maintenance of registration statistics.]

3-203.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "APPLICABLE TRANSACTION" MEANS:

1. AT THE MOTOR VEHICLE ADMINISTRATION, AN INITIAL APPLICATION FOR OR RENEWAL OF A DRIVER'S LICENSE OR IDENTIFICATION CARD, OR A CHANGE OF NAME OR ADDRESS ON AN EXISTING DRIVER'S LICENSE OR IDENTIFICATION CARD, OR ANY OTHER TRANSACTION IN WHICH THE MOTOR VEHICLE ADMINISTRATION OBTAINS ALL OF THE INFORMATION FROM AN APPLICANT THAT SATISFIES THE REQUIREMENTS TO REGISTER TO VOTE;

2. AT THE MARYLAND HEALTH BENEFIT EXCHANGE, ANY APPLICATION FOR OR RENEWAL OF HEALTH INSURANCE COVERAGE;

3. AT A LOCAL DEPARTMENT OF SOCIAL SERVICES, AN INITIAL APPLICATION FOR A STATE OR FEDERALLY FUNDED PUBLIC ASSISTANCE PROGRAM OR AN APPLICATION FOR A RECERTIFICATION, RENEWAL, OR CHANGE OF NAME OR ADDRESS RELATING TO A STATE OR FEDERALLY FUNDED PUBLIC ASSISTANCE PROGRAM; OR

4. AT THE MOBILITY CERTIFICATION OFFICE IN THE MARYLAND TRANSIT ADMINISTRATION, AN INITIAL APPLICATION FOR

PARATRANSIT SERVICE OR AN APPLICATION FOR RECERTIFICATION FOR
PARATRANSIT SERVICE.

(II) “APPLICABLE TRANSACTION” INCLUDES ANY
TRANSACTION DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT IS
COMPLETED ONLINE.

(3) “ELECTRONIC VOTER REGISTRATION AGENCY” MEANS:

(I) THE MOTOR VEHICLE ADMINISTRATION;

(II) THE MARYLAND HEALTH BENEFIT EXCHANGE;

(III) LOCAL DEPARTMENTS OF SOCIAL SERVICES; AND

(IV) THE MOBILITY CERTIFICATION OFFICE IN THE
MARYLAND TRANSIT ADMINISTRATION.

(4) “ELECTRONIC VOTER REGISTRATION SYSTEM” MEANS A
SYSTEM THAT, AS AN INTEGRAL PART OF EACH APPLICABLE TRANSACTION AT AN
ELECTRONIC VOTER REGISTRATION AGENCY:

(I) OFFERS AN APPLICANT THE OPPORTUNITY TO REGISTER
TO VOTE OR UPDATE A VOTER REGISTRATION RECORD;

(II) INFORMS AN APPLICANT:

1. OF THE QUALIFICATIONS TO REGISTER TO VOTE
UNDER § 3-102 OF THIS TITLE;

(Over)

2. THAT THE APPLICANT SHOULD NOT REGISTER IF THE APPLICANT DOES NOT MEET ALL THE QUALIFICATIONS;

3. OF THE PENALTIES FOR THE SUBMISSION OF A FALSE APPLICATION; AND

4. THAT VOTER REGISTRATION IS VOLUNTARY AND THAT NEITHER REGISTERING NOR DECLINING TO REGISTER TO VOTE WILL IN ANY WAY AFFECT THE AVAILABILITY OF SERVICES OR BENEFITS;

(III) REQUIRES THE ELECTRONIC SIGNATURE OF THE APPLICANT, SUBJECT TO THE PENALTIES FOR PERJURY, BY WHICH THE APPLICANT ATTESTS THAT THE INFORMATION CONTAINED IN THE VOTER REGISTRATION APPLICATION IS TRUE AND THAT THE APPLICANT MEETS ALL THE QUALIFICATIONS TO BECOME A REGISTERED VOTER, INCLUDING UNITED STATES CITIZENSHIP; AND

(IV) ELECTRONICALLY TRANSMITS THE VOTER REGISTRATION INFORMATION OF THE APPLICANT DIRECTLY TO THE STATE BOARD:

1. IN A MANNER AND FORMAT SPECIFIED JOINTLY BY THE ELECTRONIC VOTER REGISTRATION AGENCY AND THE STATE BOARD; AND

2. WITHIN 5 DAYS OF THE APPLICABLE TRANSACTION.

(5) "LOCAL DEPARTMENT OF SOCIAL SERVICES" MEANS:

(I) THE LOCAL DEPARTMENTS OF SOCIAL SERVICES IN THE DEPARTMENT OF HUMAN RESOURCES; AND

(II) THE MONTGOMERY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN ELECTRONIC VOTER REGISTRATION AGENCY SHALL IMPLEMENT AN ELECTRONIC VOTER REGISTRATION SYSTEM ON OR BEFORE JULY 1, 2017.

(2) A LOCAL DEPARTMENT OF SOCIAL SERVICES SHALL IMPLEMENT AN ELECTRONIC VOTER REGISTRATION SYSTEM ON OR BEFORE DECEMBER 1, 2019.

(C) AN ELECTRONIC VOTER REGISTRATION SYSTEM:

(1) MAY NOT REQUIRE ANY INFORMATION THAT DUPLICATES THE INFORMATION REQUIRED TO COMPLETE AN APPLICABLE TRANSACTION;

(2) SHALL REQUIRE ONLY THE MINIMUM AMOUNT OF INFORMATION NECESSARY FOR BOTH AN APPLICABLE TRANSACTION AND A VOTER REGISTRATION TO:

(I) PREVENT DUPLICATE VOTER REGISTRATION; AND

(II) ENABLE ELECTION OFFICIALS TO REVIEW THE ELIGIBILITY OF AN APPLICANT AND TO ADMINISTER VOTER REGISTRATION AND OTHER ASPECTS OF THE ELECTION PROCESS; AND

(3) SHALL INFORM AN APPLICANT THAT IF THE APPLICANT DOES NOT SELECT A POLITICAL PARTY AFFILIATION, THE INDIVIDUAL WILL BE DESIGNATED AS NOT AFFILIATED WITH A POLITICAL PARTY AND WILL BE UNABLE TO VOTE IN A PARTY PRIMARY ELECTION.

(D) AN AGENT OF AN ELECTRONIC VOTER REGISTRATION AGENCY WHO IS RESPONSIBLE FOR CARRYING OUT THE REQUIREMENTS OF THIS SECTION MAY NOT:

(1) SEEK TO INFLUENCE AN APPLICANT'S POLITICAL PREFERENCE OR PARTY REGISTRATION;

(2) DISPLAY ANY POLITICAL PREFERENCE OR PARTY ALLEGIANCE;
OR

(3) MAKE ANY STATEMENT TO AN APPLICANT OR TAKE ANY ACTION THE PURPOSE OR EFFECT OF WHICH IS TO:

(I) DISCOURAGE THE APPLICANT FROM REGISTERING TO VOTE; OR

(II) LEAD THE APPLICANT TO BELIEVE THAT A DECISION TO REGISTER OR NOT TO REGISTER HAS ANY BEARING ON THE AVAILABILITY OF SERVICES OR BENEFITS.

(E) THE STATE BOARD SHALL ENSURE THAT EACH INDIVIDUAL WHOSE VOTER REGISTRATION INFORMATION IS TRANSMITTED TO THE STATE BOARD THROUGH AN ELECTRONIC VOTER REGISTRATION SYSTEM IS PROMPTLY REGISTERED TO VOTE.

(F) INFORMATION RELATING TO THE DECISION OF AN APPLICANT AT AN ELECTRONIC VOTER REGISTRATION AGENCY TO DECLINE TO REGISTER TO VOTE MAY NOT BE USED FOR ANY PURPOSE OTHER THAN THE MAINTENANCE OF REGISTRATION STATISTICS.

(G) NOTWITHSTANDING § 3-501 OF THIS TITLE AND § 4-401 OF THE GENERAL PROVISIONS ARTICLE, THE IDENTITY OF AN ELECTRONIC VOTER REGISTRATION AGENCY THROUGH WHICH A PARTICULAR VOTER HAS REGISTERED MAY NOT BE DISCLOSED TO THE PUBLIC.

(H) THE STATE BOARD MAY ADOPT REGULATIONS AS NECESSARY TO IMPLEMENT THIS SECTION.

(I) (1) EACH ELECTRONIC VOTER REGISTRATION AGENCY SHALL:

(I) ON OR BEFORE JANUARY 1, 2017, SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS THAT DESCRIBES:

1. THE EFFORTS OF THE ELECTRONIC VOTER REGISTRATION AGENCY TO REGISTER VOTERS IN THE PRECEDING CALENDAR YEAR; AND

(Over)

2. THE STATUS OF THE IMPLEMENTATION OF AN ELECTRONIC VOTER REGISTRATION SYSTEM; AND

(II) ON OR BEFORE JANUARY 1, 2018, AND JANUARY 1 EACH SUBSEQUENT YEAR, SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS THAT DESCRIBES:

1. THE NUMBER OF INDIVIDUALS WHO COMPLETED AN APPLICABLE TRANSACTION IN THE PRECEDING CALENDAR YEAR AT THE ELECTRONIC VOTER REGISTRATION AGENCY AND THE NUMBER OF THOSE INDIVIDUALS WHO REGISTERED TO VOTE OR UPDATED A VOTER REGISTRATION RECORD; AND

2. ANY EFFORTS THE ELECTRONIC VOTER REGISTRATION AGENCY PLANS TO MAKE TO IMPROVE THE EFFICIENCY AND EFFECTIVENESS OF THE VOTER REGISTRATION PROCESS AT THE AGENCY.

(2) THE DEPARTMENT OF HUMAN RESOURCES SHALL CONSOLIDATE AND SUBMIT THE REPORTS REQUIRED UNDER PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION AS A SINGLE DOCUMENT ON BEHALF OF ALL THE LOCAL DEPARTMENTS OF SOCIAL SERVICES.

3-204.

(a) (1) The State Board shall designate public agencies and nongovernmental agencies as voter registration agencies where qualified individuals may apply to register to vote.

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 15 of 29**

(2) The State Board shall designate the following offices as voter registration agencies:

(i) all offices in the State that provide public assistance;

(ii) all offices in the State that provide State-funded programs primarily engaged in providing services to individuals with disabilities; and

(iii) all public institutions of higher education in the State.

(3) The State Board and the Secretary of Defense shall jointly develop and implement procedures for persons to apply to register to vote at recruitment offices of the armed forces of the United States, which shall be deemed voter registration agencies.

(A-1) A VOTER REGISTRATION AGENCY THAT IS SUBJECT TO THE REQUIREMENTS OF § 3-203 OF THIS SUBTITLE:

(1) SHALL CONDUCT VOTER REGISTRATION IN THE MANNER SPECIFIED IN § 3-203 OF THIS SUBTITLE; AND

(2) IS NOT SUBJECT TO THE REQUIREMENTS OF THIS SECTION.

(b) Except for a public institution of higher education in the State, which institution shall comply with the requirements of subsection (c) of this section, each voter registration agency, as provided in subsection (a)(2) and (3) of this section, shall:

(1) distribute a voter registration application approved by the State Board or the Federal Election Commission with each application for service or assistance it renders and with each recertification, renewal, or change of address form relating to such service or assistance;

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 16 of 29**

(2) provide a document to prospective registrants that includes:

(i) the question, “If you are not registered to vote where you live now, would you like to apply to register to vote here today?”;

(ii) if the agency provides public assistance, the statement, “Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.”;

(iii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote together with the statement (in close proximity to the boxes and in prominent type), “If you do not check either box, you will be considered to have decided not to register to vote at this time.”;

(iv) the statement, “If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.”;

(v) the statement, “If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the State Board of Elections.”; and

(vi) the address and toll free telephone number of the State Board;

(3) provide each applicant who does not decline to register to vote and who accepts assistance the same degree of assistance with regard to completion of the registration application as is provided by the office with regard to the completion of its own applications, unless the applicant refuses such assistance; [and]

(4) ENSURE THAT EACH APPLICATION FOR SERVICE OR ASSISTANCE FROM THE AGENCY AND EACH RECERTIFICATION, RENEWAL, OR CHANGE OF ADDRESS FORM RELATING TO THE SERVICE OR ASSISTANCE MAY NOT BE COMPLETED UNTIL THE APPLICANT HAS INDICATED WHETHER THE APPLICANT WISHES TO REGISTER TO VOTE AND IS INFORMED THAT IF THE APPLICANT DOES NOT SELECT A POLITICAL PARTY AFFILIATION, THE INDIVIDUAL WILL BE DESIGNATED AS NOT AFFILIATED WITH A POLITICAL PARTY AND WILL BE UNABLE TO VOTE IN A PARTY PRIMARY ELECTION; AND

[(4)](5) accept the completed voter registration application for transmittal to the appropriate election board.

[(c) At the time that an individual enrolls, registers, or pays for course work provided by a public institution of higher education in the State, the institution shall provide the individual with an opportunity to request a voter registration application. If the individual requests a voter registration application, the institution shall provide, or cause to be provided, an application to the individual.]

(C) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “COMMISSION” MEANS THE MARYLAND HIGHER EDUCATION COMMISSION.

(III) “INSTITUTION OF HIGHER EDUCATION” HAS THE MEANING STATED IN § 10-101(H) OF THE EDUCATION ARTICLE.

(2) (I) ON OR BEFORE JULY 1, 2017, A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE A LINK TO THE ONLINE VOTER

REGISTRATION SYSTEM ON THE HOME PAGE OF THE ONLINE PORTAL USED BY STUDENTS TO REGISTER FOR COURSE WORK.

(ii) THE LINK TO THE ONLINE VOTER REGISTRATION SYSTEM SHALL BE PROMINENTLY PLACED ON THE HOME PAGE IN A LOCATION WHERE IT MAY BE EASILY VIEWED BY STUDENTS REGISTERING FOR COURSE WORK.

(3) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL:

(i) ON OR BEFORE JANUARY 1, 2018, SUBMIT A REPORT TO THE COMMISSION THAT INCLUDES:

1. THE EFFORTS OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO REGISTER VOTERS IN THE PRECEDING CALENDAR YEAR;

2. A SCREEN SHOT OF THE HOME PAGE OF THE ONLINE PORTAL USED BY STUDENTS TO REGISTER FOR COURSE WORK THAT INCLUDES THE LINK REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION;

3. THE NUMBER OF STUDENTS WHO ARE RESIDENTS OF THE STATE AND REGISTERED FOR COURSE WORK IN THE PRECEDING 18 MONTHS AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION AND THE NUMBER OF THOSE STUDENTS WHO CLICKED ON THE LINK REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

4. ANY OTHER EFFORTS THE PUBLIC INSTITUTION OF HIGHER EDUCATION PLANS TO MAKE TO IMPROVE ACCESS TO VOTER REGISTRATION FOR STUDENTS AT THE INSTITUTION; AND

(II) ON OR BEFORE JANUARY 1, 2019, AND JANUARY 1 EACH SUBSEQUENT YEAR, SUBMIT A REPORT TO THE COMMISSION THAT DESCRIBES:

1. THE NUMBER OF STUDENTS WHO ARE RESIDENTS OF THE STATE AND REGISTERED FOR COURSE WORK IN THE PRECEDING CALENDAR YEAR AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION AND THE NUMBER OF THOSE STUDENTS WHO CLICKED ON THE LINK REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

2. ANY EFFORTS THE PUBLIC INSTITUTION OF HIGHER EDUCATION PLANS TO MAKE TO IMPROVE ACCESS TO VOTER REGISTRATION FOR STUDENTS AT THE INSTITUTION.

(4) THE COMMISSION SHALL COMPILE AND SUMMARIZE THE INFORMATION REPORTED BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION:

(I) UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION, IN A SINGLE REPORT THAT THE COMMISSION SHALL SUBMIT ON OR BEFORE JANUARY 15, 2018, TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE; AND

(II) UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, IN A SINGLE REPORT THAT THE COMMISSION SHALL SUBMIT ON OR BEFORE JANUARY 15, 2019, AND JANUARY 15 EACH SUBSEQUENT YEAR TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 20 of 29**

(d) An applicant may mail the voter registration application to the appropriate State election official or return it to the voter registration agency for transmittal to the appropriate election official.

(e) Within 5 days from the acceptance of a voter registration application, the voter registration agency shall forward the application to the appropriate State election official.

(f) (1) An applicant registering to vote at a voter registration agency may affirmatively consent to the use of [an] THE INDIVIDUAL'S electronic [copy of the individual's] signature that is on file with the voter registration agency as the individual's signature for the application being submitted.

(2) If an applicant signs a voter registration application as provided in paragraph (1) of this subsection, the voter registration agency shall transmit an electronic copy of the applicant's signature to the State Board within 5 days after the day on which the agency accepted the application.

(g) If a voter registration agency is an office described in subsection (a)(2)(ii) of this section, which provides services to an individual with a disability at the individual's home, the agency shall provide the services described in subsection (b) of this section at the individual's home.

(h) (1) An individual who provides any service described in subsection (b) of this section may not:

(i) seek to influence an applicant's political preference or party registration;

(ii) display any political preference or party allegiance; or

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 21 of 29**

(iii) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

(2) No information relating to a declination to register to vote in connection with an application made at an office designated as a voter registration agency may be used for any purpose other than the maintenance of voter registration statistics.

(3) Notwithstanding § 3-501 of this title and § 4-401 of the General Provisions Article, the identity of a voter registration agency through which a particular voter has registered may not be disclosed to the public.

(i) Regulations necessary to carry out the requirements of this section and § 3-203 of this subtitle, including provisions for training the employees of voter registration agencies and the Motor Vehicle Administration, shall be adopted by the State Board in cooperation with each agency.

3-204.2.

(A) THE STATE BOARD AND THE DEPARTMENT OF NATURAL RESOURCES SHALL JOINTLY DEVELOP AND IMPLEMENT PROCEDURES FOR INDIVIDUALS WHO APPLY FOR THE ISSUANCE OR RENEWAL OF A LICENSE, PERMIT, OR CERTIFICATE ONLINE TO BE OFFERED THE OPPORTUNITY TO REGISTER TO VOTE THROUGH A LINK TO THE ONLINE VOTER REGISTRATION SYSTEM.

(B) THE STATE BOARD AND THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL JOINTLY DEVELOP AND IMPLEMENT PROCEDURES FOR INDIVIDUALS WHO USE THE MARYLAND WORKFORCE EXCHANGE WEB SITE TO

(Over)

BE OFFERED THE OPPORTUNITY TO REGISTER TO VOTE THROUGH A LINK TO THE ONLINE VOTER REGISTRATION SYSTEM.

(C) THE STATE BOARD AND THE DEPARTMENT OF VETERANS AFFAIRS SHALL JOINTLY DEVELOP AND IMPLEMENT PROCEDURES FOR INDIVIDUALS WHO USE THE DEPARTMENT OF VETERANS AFFAIRS WEB SITE OR WHO ARE CONTACTED BY THE DEPARTMENT'S OUTREACH AND ADVOCACY PROGRAM TO BE OFFERED THE OPPORTUNITY TO REGISTER TO VOTE THROUGH A LINK TO THE ONLINE VOTER REGISTRATION SYSTEM.

(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "APPLICABLE TRANSACTION" MEANS AN ONLINE APPLICATION FOR A STATE OR FEDERALLY FUNDED PUBLIC ASSISTANCE PROGRAM OR AN ONLINE APPLICATION FOR A RECERTIFICATION, RENEWAL, OR CHANGE OF NAME OR ADDRESS RELATING TO A STATE OR FEDERALLY FUNDED PUBLIC ASSISTANCE PROGRAM.

(III) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES.

(IV) "ELECTRONIC PORTAL" MEANS THE DEPARTMENT'S ONLINE SYSTEM, KNOWN AS MYDHR, THROUGH WHICH AN INDIVIDUAL MAY COMPLETE AN APPLICABLE TRANSACTION.

(2) THE STATE BOARD AND THE DEPARTMENT SHALL JOINTLY DEVELOP AND IMPLEMENT PROCEDURES FOR INDIVIDUALS WHO USE THE DEPARTMENT'S ELECTRONIC PORTAL TO COMPLETE AN APPLICABLE

TRANSACTION TO BE OFFERED THE OPPORTUNITY TO REGISTER TO VOTE
THROUGH A LINK TO THE ONLINE VOTER REGISTRATION SYSTEM.

3-506.

(a) (1) A copy of a list of registered voters shall be provided to a Maryland registered voter on receipt of:

(i) a written application; and

(ii) a statement, signed under oath, that the list is not intended to be used for:

1. commercial solicitation; or

2. any other purpose not related to the electoral process.

(2) In consultation with the local boards, the State Board shall adopt regulations that specify:

(i) the time for a list to be provided under this subsection;

(ii) the authorization to be required for providing a list;

(iii) the fee to be paid for providing a list;

(iv) the information to be included on a list;

(V) THAT THE RESIDENCE ADDRESS OF AN INDIVIDUAL WHO IS A PARTICIPANT IN AN ADDRESS CONFIDENTIALITY PROGRAM MAY NOT BE DISCLOSED;

(Over)

(VI) THAT A PARTICIPANT IN AN ADDRESS CONFIDENTIALITY PROGRAM IS NOT REQUIRED TO APPLY TO THE STATE BOARD TO KEEP THE INDIVIDUAL'S RESIDENCE ADDRESS CONFIDENTIAL;

[(v)] (VII) the format of the information; and

[(vi)] (VIII) the medium or media on which the information is to be provided.

(b) (1) The State Administrator or a designee shall provide a copy of the statewide voter registration list and voter registration records to a jury commissioner on request and without charge by means agreed to with the Administrative Office of the Courts.

(2) On application of the Attorney General, a circuit court may compel compliance with paragraph (1) of this subsection.

(c) A person who knowingly allows a list of registered voters, under the person's control, to be used for any purpose not related to the electoral process is guilty of a misdemeanor and, on conviction, is subject to the penalties under Title 16 of this article.

Article – Human Services

1-201.

(a) Except as provided in subsection (b) of this section, a person may not disclose any information concerning an applicant for or recipient of social services, child welfare services, cash assistance, food stamps, or medical assistance that is directly or indirectly derived from the records, investigations, or communications of the State, a county, or a municipal corporation or a unit of the State, a county, or a municipal corporation or that is acquired in the course of the performance of official duties.

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 25 of 29**

(b) This section does not prohibit the disclosure of information:

(1) in accordance with a court order; or

(2) to an officer or employee of any state or local government, the United States, or a fiduciary institution, if the officer or employee is entitled to the information in an official capacity and the disclosure is necessary to administer:

(I) public assistance, medical assistance, social services, or child welfare services programs; OR

(II) VOTER REGISTRATION IN ACCORDANCE WITH § 3-203 OF THE ELECTION LAW ARTICLE.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

3-204.

(a) (2) The State Board shall designate the following offices as voter registration agencies:

(i) all offices in the State that provide public assistance;

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 26 of 29**

(ii) all offices in the State that provide State-funded programs primarily engaged in providing services to individuals with disabilities; [and]

(iii) all public institutions of higher education in the State; AND

(IV) ALL ONE-STOP CAREER CENTERS IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(J) ON OR BEFORE JANUARY 1, 2018, AND JANUARY 1 EACH SUBSEQUENT YEAR, THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE THAT DESCRIBES:

(1) THE EFFORTS OF THE ONE-STOP CAREER CENTERS TO REGISTER VOTERS UNDER THIS SECTION IN THE PRECEDING CALENDAR YEAR; AND

(2) ANY EFFORTS THE DEPARTMENT PLANS TO MAKE TO IMPROVE THE EFFICIENCY AND EFFECTIVENESS OF THE VOTER REGISTRATION PROCESS AT THE ONE-STOP CAREER CENTERS.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Each agency with responsibility for carrying out this Act shall designate an employee to act as the agency's voter registration coordinator.

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 27 of 29**

(b) Each voter registration coordinator shall complete an annual training program conducted by the State Board of Elections concerning the requirements of this Act.

(c) Each voter registration coordinator shall oversee an annual training program concerning the requirements of this Act for all employees of the coordinator's agency with responsibility for carrying out this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before August 1, 2016, the Attorney General shall request a determination letter from the United States Department of Labor confirming that federal law does not preclude the Department of Labor, Licensing, and Regulation from utilizing federal or State funds to conduct voter registration in accordance with § 3-204 of the Election Law Article, as enacted by Section 2 of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect contingent on the receipt by the Attorney General of Maryland of a favorable determination letter from the United States Department of Labor confirming that federal law does not preclude the Department of Labor, Licensing, and Regulation from utilizing federal or State funds to conduct voter registration in accordance with § 3-204 of the Election Law Article as enacted by Section 2 of this Act. If a favorable determination letter is received on or before July 1, 2017, Section 2 of this Act shall take effect on the date notice of the letter is received by the Department of Legislative Services in accordance with this section. If the Attorney General does not receive a favorable determination letter on or before July 1, 2017, Section 2 of this Act shall be null and void and of no further force and effect. The Attorney General, within 5 days after receiving the determination letter from the United States Department of Labor, shall forward a copy of the letter to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.

SECTION 6. AND BE IT FURTHER ENACTED, That, on or before August 1, 2016, the Attorney General shall request a determination letter from the Internal

(Over)

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 28 of 29**

Revenue Service confirming that federal law does not preclude the Comptroller from engaging with the State Board of Elections for purposes of voter registration, including the sharing of information with the State Board that would allow for the identification of individuals who filed a Maryland resident individual income tax return and are not registered to vote.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2017, the Department of Information Technology and the State Board of Elections shall complete a study of voter registration at agencies in the Executive Branch of the State. The study shall:

(1) identify and assess the readiness and time frame within which the agencies that currently offer paper-based voter registration services to eligible State citizens might transition to an electronic system of voter registration;

(2) identify additional agencies for which it would be beneficial to the public to include a link on the agency's Web site to the online voter registration system at the State Board of Elections;

(3) identify additional agencies for which it would be beneficial to the public to be designated as voter registration agencies that provide paper-based or electronic voter registration services; and

(4) assess how all agencies entrusted with providing electronic or paper-based voter registration services for citizens of the State maintain and ensure the confidentiality, security, and integrity of personal information obtained from citizens for purposes of voter registration.

(b) On or before October 1, 2017, the Department of Information Technology and the State Board of Elections shall jointly submit a report, in accordance with § 2-1246 of the State Government Article, summarizing the findings of the study to the

**SB0011/704735/1 Education, Health, and Environmental Affairs Committee
Amendments to SB 11
Page 29 of 29**

Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means.

SECTION 8. AND BE IT FURTHER ENACTED, That on or before January 1, 2017, the State Board of Elections shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee, in accordance with § 2-1246 of the State Government Article, concerning the process for informing applicants for voter registration of the manner in which an individual may apply to keep the individual's residence address confidential for specified safety or privacy reasons, as prescribed by the State Board of Elections regulations.

SECTION 9. AND BE IT FURTHER ENACTED, That, subject to Section 5 of this Act, this Act shall take effect July 1, 2016."