

HOUSE BILL 1717

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EMERGENCY BILL

8lr3832

By: **Delegates Wilkins and A. Washington**

Introduced and read first time: February 16, 2018

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration Lists and Voter Registration Numbers**
3 **(Voter Registration List Protection Act)**

4 FOR the purpose of requiring that a copy of a list of registered voters be provided to a
5 political party established under certain provisions of law; altering the contents of a
6 certain statement; prohibiting a person from knowingly and willfully, rather than
7 only knowingly, allowing a list of registered voters under the person’s control to be
8 used for any purpose not related to the electoral process; specifying that a certain
9 prohibition relates to allowing a list of registered voters to be used for any purpose
10 not related to the electoral process in the State; prohibiting a person from knowingly
11 and willfully allowing a list of registered voters to be made available or distributed,
12 used for commercial solicitation, or published or republished in a certain manner;
13 establishing a certain penalty; altering the penalty for a certain violation; requiring
14 the State Board of Elections to adopt certain regulations; altering the definition of
15 “personal information” for purposes of certain provisions of law governing the
16 protection of information by government agencies to exclude voter registration
17 numbers; making this Act an emergency measure; and generally relating to voter
18 registration lists and voter registration numbers.

19 BY repealing and reenacting, with amendments,
20 Article – Election Law
21 Section 3–506
22 Annotated Code of Maryland
23 (2017 Replacement Volume and 2017 Supplement)

24 BY repealing and reenacting, without amendments,
25 Article – State Government
26 Section 10–1301(a)
27 Annotated Code of Maryland
28 (2014 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – State Government
3 Section 10–1301(c)
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2017 Supplement)

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

8 **Article – Election Law**

9 3–506.

10 (a) (1) A copy of a list of registered voters shall be provided to a Maryland
11 registered voter **OR A POLITICAL PARTY ESTABLISHED UNDER TITLE 4 OF THIS**
12 **ARTICLE** on receipt of:

- 13 (i) a written application; and
14 (ii) a statement, signed under oath, that the list is not intended to be
15 used for:
- 16 1. commercial solicitation; or
 - 17 2. any other purpose not related to the electoral process **IN**
18 **THE STATE.**

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

- 21 (i) the time for a list to be provided under this subsection;
22 (ii) the authorization to be required for providing a list;
23 (iii) the fee to be paid for providing a list;
24 (iv) the information to be included on a list;
25 (v) that the residence address of an individual who is a participant
26 in an address confidentiality program may not be disclosed;
27 (vi) that a participant in an address confidentiality program is not
28 required to apply to the State Board to keep the individual's residence address confidential;
29 (vii) the format of the information; and
30 (viii) the medium or media on which the information is to be provided.

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

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

7 (c) A person [who] **MAY NOT** knowingly [allows] **AND WILLFULLY ALLOW** a list
8 of registered voters, under the person's control, to be:

9 **(1)** used for any purpose not related to the electoral process [is guilty of a
10 misdemeanor and, on conviction, is subject to the penalties under Title 16 of this article]
11 **IN THE STATE;**

12 **(2)** **MADE AVAILABLE OR DISTRIBUTED TO A THIRD PARTY OTHER**
13 **THAN A CANDIDATE OR BALLOT ISSUE COMMITTEE OR TO THE GENERAL PUBLIC;**

14 **(3)** **USED FOR COMMERCIAL SOLICITATION; OR**

15 **(4)** **PUBLISHED OR REPUBLISHED IN A MANNER NOT AUTHORIZED**
16 **UNDER THIS SECTION.**

17 **(D)** **A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
18 **AND, ON CONVICTION, IS SUBJECT TO THE PENALTIES UNDER § 16-101 OF THIS**
19 **ARTICLE.**

20 **(E)** **THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS**
21 **SECTION.**

22 Article – State Government

23 10-1301.

24 (a) In this subtitle the following words have the meanings indicated.

25 (c) **(1)** “Personal information” means an individual's first name or first initial
26 and last name, personal mark, or unique biometric or genetic print or image, in combination
27 with one or more of the following data elements:

28 **[(1)] (I)** a Social Security number;

29 **[(2)] (II)** a driver's license number, state identification card number, or
30 other individual identification number issued by a unit;

1 [(3)] (III) a passport number or other identification number issued by the
2 United States government;

3 [(4)] (IV) an Individual Taxpayer Identification Number; or

4 [(5)] (V) a financial or other account number, a credit card number, or a
5 debit card number that, in combination with any required security code, access code, or
6 password, would permit access to an individual's account.

7 (2) "PERSONAL INFORMATION" DOES NOT INCLUDE A VOTER
8 REGISTRATION NUMBER.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
10 measure, is necessary for the immediate preservation of the public health or safety, has
11 been passed by a ye and nay vote supported by three-fifths of all the members elected to
12 each of the two Houses of the General Assembly, and shall take effect from the date it is
13 enacted.