

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 384 (Senator Kagan)
Education, Health, and Environmental Affairs

Election Law - Voter Data - Security and Reporting of Breach

This bill requires the State Board of Elections (SBE) to adopt specified regulations on the storage and security of voter registration information received by a registered voter or jury commissioner. In addition, the bill requires specified reporting, subject to penalties for failure to do so, of a breach in the secure storage of the voter registration information.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: The bill is not expected to materially affect local government finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires SBE to adopt regulations that describe best practices for storage and security of voter registration information by a registered voter or jury commissioner who has received a list of registered voters.

A person who has received a list of registered voters under provisions governing receipt of voter registration information by a registered voter or jury commissioner, after becoming aware of a breach in the secure storage of the voter registration information, must disclose the breach to the State Administrator of Elections as soon as possible. A person who fails to report a breach in that manner is guilty of a misdemeanor and, on conviction, is subject to penalty provisions under Title 16 of the Election Law Article.

Current Law: A copy of a list of registered voters must be provided to a Maryland registered voter on receipt of (1) a written application and (2) a statement, signed under oath, that the list is not intended to be used for commercial solicitation or any other purpose not related to the electoral process.

In consultation with the local boards, SBE must adopt regulations that specify various details relating to providing a list of registered voters to a registered voter.

The State Administrator or a designee also must 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.

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 subject to penalties under Title 16 of the Election Law Article. Under Title 16, a person convicted of a misdemeanor under the Election Law Article for which no penalty is specifically provided is subject to a fine of at least \$10 and up to \$250 and/or imprisonment for at least 30 days and up to 6 months.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 27, 2019
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