

HOUSE BILL 1212

G1
HB 1140/21 – W&M

3lr2735

By: **Delegate Arentz**

Introduced and read first time: February 10, 2023

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration List – Right to Opt Out of the Sale of**
3 **Personally Identifiable Information**

4 FOR the purpose of requiring the State Board of Elections to establish, by regulation, a
5 process by which an individual may opt out of the sale of personally identifiable
6 information in the individual's voter registration record to any person other than an
7 employee or a vendor of the State Board or a local board; prohibiting personal
8 information in an individual's voter registration record from being sold under certain
9 provisions of law if the individual has opted out of the sale; and generally relating to
10 the statewide voter registration list.

11 BY adding to
12 Article – Election Law
13 Section 3–101.1
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2022 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Election Law
18 Section 3–506
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2022 Supplement)

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

23 **Article – Election Law**

24 **3–101.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **THE STATE BOARD SHALL, BY REGULATION, ESTABLISH A PROCESS BY WHICH**
2 **AN INDIVIDUAL MAY OPT OUT OF THE SALE OF THE FOLLOWING PERSONALLY**
3 **IDENTIFIABLE INFORMATION IN THE INDIVIDUAL'S VOTER REGISTRATION RECORD**
4 **TO ANY PERSON OTHER THAN AN EMPLOYEE OR A VENDOR OF THE STATE BOARD**
5 **OR A LOCAL BOARD:**

6 **(1) NAME;**

7 **(2) ADDRESS;**

8 **(3) PARTY AFFILIATION;**

9 **(4) VOTING HISTORY; AND**

10 **(5) ANY OTHER PERSONALLY IDENTIFIABLE INFORMATION.**

11 3-506.

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

14 (i) a written application; and

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

17 1. commercial solicitation; or

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

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;

1 (vii) the format of the information; and

2 (viii) the medium or media on which the information is to be provided.

3 **(3) THE PERSONALLY IDENTIFIABLE INFORMATION IN AN**
4 **INDIVIDUAL'S VOTER REGISTRATION RECORD MAY NOT BE SOLD TO ANY PERSON**
5 **UNDER THIS SECTION IF THE INDIVIDUAL HAS OPTED OUT OF THE SALE UNDER §**
6 **3-101.1 OF THIS TITLE.**

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

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

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2023.