

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1212
Ways and Means

(Delegate Arentz)

Election Law - Voter Registration List - Right to Opt Out of the Sale of
Personally Identifiable Information

This bill requires the State Board of Elections (SBE) to, by regulation, establish a process by which an individual may opt out of the sale of specified personally identifiable information in the individual's voter registration record (name, address, party affiliation, voting history, and any other personally identifiable information) to any person other than an employee or a vendor of SBE or a local board of elections. If an individual has opted out of the sale of that information, it may not be sold to any person under provisions allowing a Maryland registered voter to request a copy of a list of registered voters.

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

Current Law: A copy of a list of registered voters must be provided to a Maryland registered voter who submits a written application and 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. SBE must adopt regulations, in consultation with the local boards of elections, which establish specified procedures and requirements to govern the process of providing a copy of a list of registered voters to a Maryland registered voter. The regulations must specify, among other things, (1) the fee to be paid for providing a list

and (2) that the residence address of an individual who is a participant in an address confidentiality program (for survivors of threatened, attempted, or actual domestic violence, sexual assault, stalking, harassment, or human trafficking) may not be disclosed.

SBE regulations require that the application form to obtain a voter registration list provide a listing of, among other things, the information options available. Examples of information options mentioned in the regulations include name, address, party affiliation, date of birth, and voting history.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1140 of 2021.

Designated Cross File: None.

Information Source(s): Office of the Attorney General; Department of Human Services; Maryland Department of Transportation; Maryland State Board of Elections; Health Benefit Exchange; Department of Legislative Services

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