

# HOUSE BILL 1088

G1, E5

4lr3135  
CF SB 605

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By: **Delegate Feldmark**

Introduced and read first time: February 7, 2024

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Automatic Voter Registration – Alterations**

3 FOR the purpose of altering automatic voter registration procedures at the Motor Vehicle  
4 Administration and the Maryland Health Benefit Exchange; establishing  
5 requirements regarding the transmission of automatic voter registration  
6 information by the Administration and the Exchange, the processing of the voter  
7 registration information by the State Board of Elections, and the sending of notices  
8 by the State Board and the Exchange; authorizing the State Board to implement  
9 certain automatic voter registration procedures at certain agencies with the consent  
10 of the agencies; providing that certain automatic voter registration procedures do not  
11 apply to participants in certain confidentiality programs; and generally relating to  
12 automatic voter registration.

13 BY renumbering

14 Article – Election Law  
15 Section 3–203(c) through (j)  
16 to be Section 3–203(d) through (k), respectively  
17 Annotated Code of Maryland  
18 (2022 Replacement Volume and 2023 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Election Law  
21 Section 3–203(a)(1), (2)(i)1. and 2. and (ii), (3)(i) and (ii), and (4)  
22 Annotated Code of Maryland  
23 (2022 Replacement Volume and 2023 Supplement)

24 BY adding to

25 Article – Election Law  
26 Section 3–203(b) and 3–203.1  
27 Annotated Code of Maryland  
28 (2022 Replacement Volume and 2023 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Article – Election Law  
3 Section 3–203(b), 3–303, and 3–503  
4 Annotated Code of Maryland  
5 (2022 Replacement Volume and 2023 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
7 That Section(s) 3–203(c) through (j) of Article – Election Law of the Annotated Code of  
8 Maryland be renumbered to be Section(s) 3–203(d) through (k), respectively.

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

11 **Article – Election Law**

12 3–203.

13 (a) (1) In this section the following words have the meanings indicated.

14 (2) (i) “Applicable transaction” means:

15 1. at the Motor Vehicle Administration, an initial application  
16 for or renewal of a driver’s license or identification card, or a change of name or address on  
17 an existing driver’s license or identification card, or any other transaction in which the  
18 Motor Vehicle Administration obtains all of the information from an applicant that satisfies  
19 the requirements to register to vote;

20 2. at the Maryland Health Benefit Exchange, any application  
21 for or renewal of health insurance coverage;

22 (ii) “Applicable transaction” includes any transaction described in  
23 subparagraph (i) of this paragraph that is completed online.

24 (3) “Automatic voter registration agency” means:

25 (i) the Motor Vehicle Administration;

26 (ii) the Maryland Health Benefit Exchange;

27 (4) “Automatic voter registration system” means a system that, as an  
28 integral part of each applicable transaction at an automatic voter registration agency:

29 (i) informs an applicant:

30 1. that the applicant shall be registered to vote or shall have  
31 a voter registration record updated, if applicable, unless the applicant declines to register

1 to vote or update a voter registration record or if the applicant is not eligible to register to  
2 vote;

3 2. of the qualifications to register to vote under § 3-102 of  
4 this title;

5 3. that the applicant should not register if the applicant does  
6 not meet all the qualifications;

7 4. of the penalties for the submission of a false application;  
8 and

9 5. that voter registration is voluntary and that neither  
10 registering nor declining to register to vote will in any way affect the availability of services  
11 or benefits;

12 (ii) requires the electronic signature of the applicant, subject to the  
13 penalties for perjury, by which the applicant attests that the information provided by the  
14 applicant is true and that the applicant meets all the qualifications to become a registered  
15 voter, including United States citizenship; and

16 (iii) electronically transmits the voter registration information of  
17 each applicant who does not decline to register to vote or update a voter registration record  
18 directly to the State Board:

19 1. in a manner and format specified jointly by the automatic  
20 voter registration agency and the State Board; and

21 2. within 5 days of the applicable transaction.

22 **(B) (1) WITH RESPECT TO APPLICABLE TRANSACTIONS AT THE MOTOR**  
23 **VEHICLE ADMINISTRATION, THIS SECTION APPLIES ONLY IF THE APPLICANT MEETS**  
24 **THE CRITERIA DESCRIBED IN § 3-203.1(D)(4) OF THIS SUBTITLE.**

25 **(2) WITH RESPECT TO APPLICABLE TRANSACTIONS AT THE**  
26 **MARYLAND HEALTH BENEFIT EXCHANGE, THIS SECTION APPLIES ONLY IF THE**  
27 **APPLICANT MEETS THE CRITERIA DESCRIBED IN § 3-203.1(G)(3) OF THIS SUBTITLE.**

28 **[(b)] (C) (1)** Except as provided in paragraph (2) of this subsection, an  
29 automatic voter registration agency shall implement an automatic voter registration  
30 system on or before July 1, 2019.

31 (2) A local department of social services shall implement an automatic  
32 voter registration system on or before December 1, 2019.

33 **3-203.1.**

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

3                   (2) “ADMINISTRATION” MEANS THE MOTOR VEHICLE  
4 ADMINISTRATION.

5           (3) (I) “APPLICABLE TRANSACTION” MEANS:

6                           1. AT THE MOTOR VEHICLE ADMINISTRATION, AN  
7 INITIAL APPLICATION FOR OR RENEWAL OF A DRIVER’S LICENSE OR  
8 IDENTIFICATION CARD, OR A CHANGE OF NAME OR ADDRESS ON AN EXISTING  
9 DRIVER’S LICENSE OR IDENTIFICATION CARD; OR

10                           2. AT THE EXCHANGE, ANY APPLICATION FOR OR  
11 RENEWAL OF HEALTH INSURANCE COVERAGE.

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

15           (4) “EXCHANGE” MEANS THE MARYLAND HEALTH BENEFIT  
16 EXCHANGE.

17           (B) THE ADMINISTRATION SHALL VERIFY WITH THE STATE BOARD AT THE  
18 TIME THAT AN APPLICANT SUBMITS INFORMATION TO THE ADMINISTRATION IN AN  
19 APPLICABLE TRANSACTION, WHETHER THE APPLICANT IS CURRENTLY REGISTERED  
20 TO VOTE IN THE STATE.

21           (C) THE ADMINISTRATION SHALL CATEGORIZE EACH TYPE OF DOCUMENT  
22 ACCEPTED AS PROOF OF IDENTITY BY THE ADMINISTRATION FOR AN APPLICABLE  
23 TRANSACTION AS A DOCUMENT THAT:

24                           (1) DEMONSTRATES THAT THE APPLICANT IS A UNITED STATES  
25 CITIZEN;

26                           (2) DEMONSTRATES THAT THE APPLICANT IS NOT A UNITED STATES  
27 CITIZEN AT THE TIME OF THE APPLICABLE TRANSACTION; OR

28                           (3) DOES NOT DEMONSTRATE WHETHER OR NOT THE APPLICANT IS A  
29 UNITED STATES CITIZEN AT THE TIME OF THE APPLICABLE TRANSACTION.

1           **(D) (1) THE ADMINISTRATION MAY NOT OFFER A VOTER REGISTRATION**  
2 **OPPORTUNITY TO AN APPLICANT, AND MAY NOT TRANSMIT ANY VOTER**  
3 **REGISTRATION INFORMATION ABOUT AN APPLICANT TO THE STATE BOARD, IF THE**  
4 **APPLICANT DURING AN APPLICABLE TRANSACTION PRESENTS A DOCUMENT THAT**  
5 **DEMONSTRATES THAT THE APPLICANT IS NOT A UNITED STATES CITIZEN AT THE**  
6 **TIME OF THE APPLICABLE TRANSACTION.**

7           **(2) THE ADMINISTRATION SHALL ELECTRONICALLY TRANSMIT THE**  
8 **VOTER REGISTRATION INFORMATION OF AN APPLICANT DIRECTLY TO THE STATE**  
9 **BOARD IF THE APPLICANT FOR AN APPLICABLE TRANSACTION IS CURRENTLY**  
10 **REGISTERED TO VOTE IN THE STATE.**

11           **(3) (I) THE ADMINISTRATION SHALL ELECTRONICALLY TRANSMIT**  
12 **THE VOTER REGISTRATION INFORMATION OF AN APPLICANT FOR AN APPLICABLE**  
13 **TRANSACTION DIRECTLY TO THE STATE BOARD IF:**

14                           **1. THE APPLICANT IS NOT CURRENTLY REGISTERED TO**  
15 **VOTE IN THE STATE;**

16                           **2. THE APPLICANT PRESENTS A DOCUMENT**  
17 **DEMONSTRATING THAT THE APPLICANT IS A UNITED STATES CITIZEN; AND**

18                           **3. THE APPLICANT PROVIDES INFORMATION, AS PART**  
19 **OF THE APPLICABLE TRANSACTION, DEMONSTRATING THAT THE APPLICANT IS AT**  
20 **LEAST 16 YEARS OLD AND IS A RESIDENT OF THE STATE AS OF THE DATE OF THE**  
21 **APPLICABLE TRANSACTION.**

22                           **(II) BEFORE THE ADMINISTRATION ELECTRONICALLY**  
23 **TRANSMITS AN APPLICANT'S VOTER REGISTRATION INFORMATION TO THE STATE**  
24 **BOARD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE ADMINISTRATION**  
25 **SHALL OFFER THE APPLICANT THE OPPORTUNITY TO SELECT A POLITICAL PARTY**  
26 **AFFILIATION.**

27           **(4) THE ADMINISTRATION SHALL OFFER AN APPLICANT FOR AN**  
28 **APPLICABLE TRANSACTION A VOTER REGISTRATION OPPORTUNITY THROUGH AN**  
29 **AUTOMATIC VOTER REGISTRATION SYSTEM IN ACCORDANCE WITH § 3-203 OF THIS**  
30 **SUBTITLE IF THE APPLICANT:**

31                           **(I) IS NOT CURRENTLY REGISTERED TO VOTE IN THE STATE;**  
32 **AND**

33                           **(II) PRESENTS ONLY DOCUMENTS THAT DO NOT DEMONSTRATE**  
34 **WHETHER THE APPLICANT IS A UNITED STATES CITIZEN AT THE TIME OF THE**

1 APPLICABLE TRANSACTION, OR THE APPLICANT DOES NOT PRESENT ANY  
2 DOCUMENT AT THE TIME OF THE APPLICABLE TRANSACTION.

3 (E) (1) IF THE VOTER REGISTRATION INFORMATION RECEIVED BY THE  
4 STATE BOARD UNDER SUBSECTION (D)(2) OF THIS SECTION FOR AN APPLICANT  
5 WHO IS CURRENTLY REGISTERED TO VOTE IN THE STATE:

6 (I) INDICATES THAT THE APPLICANT HAS NOT CHANGED THE  
7 APPLICANT'S RESIDENTIAL ADDRESS, MAILING ADDRESS, OR NAME, THE STATE  
8 BOARD SHALL:

9 1. CAUSE THE DATE OF THE UPDATE TO BE RECORDED  
10 IN THE STATEWIDE VOTER REGISTRATION LIST; AND

11 2. IF THE APPLICANT IS IN INACTIVE VOTER STATUS,  
12 CAUSE THE APPLICANT TO BE RESTORED TO ACTIVE VOTER STATUS AS PROVIDED IN  
13 § 3-503 OF THIS TITLE; OR

14 (II) INDICATES THAT THE APPLICANT HAS CHANGED THE  
15 APPLICANT'S RESIDENTIAL ADDRESS, MAILING ADDRESS, OR NAME, THE STATE  
16 BOARD SHALL:

17 1. CAUSE THE STATEWIDE VOTER REGISTRATION LIST  
18 TO BE UPDATED;

19 2. IF THE APPLICANT IS IN INACTIVE VOTER STATUS,  
20 CAUSE THE APPLICANT TO BE RESTORED TO ACTIVE VOTER STATUS AS PROVIDED IN  
21 § 3-503 OF THIS TITLE;

22 3. WITHIN 5 BUSINESS DAYS AFTER THE RECEIPT OF THE  
23 VOTER REGISTRATION INFORMATION FROM THE ADMINISTRATION, CAUSE AN  
24 AUTOMATIC VOTER REGISTRATION UPDATE NOTICE TO BE SENT BY  
25 NONFORWARDABLE MAIL TO THE APPLICANT; AND

26 4. IF THE APPLICANT AFFIRMATIVELY CORRECTS THE  
27 UPDATE IN WRITING, CAUSE THE APPLICANT'S INFORMATION TO BE MODIFIED  
28 APPROPRIATELY IN THE STATEWIDE VOTER REGISTRATION LIST.

29 (2) THE STATE BOARD MAY ASSIGN RESPONSIBILITY FOR  
30 PERFORMING SOME OR ALL OF THE PROCEDURES DESCRIBED IN PARAGRAPH (1) OF  
31 THIS SUBSECTION TO THE LOCAL BOARDS.

1           **(3) THE STATE BOARD SHALL PROVIDE AN ELECTRONIC MEANS BY**  
2 **WHICH AN APPLICANT MAY CORRECT A VOTER REGISTRATION UPDATE UNDER**  
3 **PARAGRAPH (1)(II) OF THIS SUBSECTION.**

4           **(4) AN AUTOMATIC VOTER REGISTRATION UPDATE NOTICE MAY BE**  
5 **COMBINED WITH A VOTER ACKNOWLEDGMENT NOTICE OR VOTER NOTIFICATION**  
6 **CARD DESCRIBED IN § 3-301(C) OF THIS TITLE, SHALL BE IN A FORMAT PRESCRIBED**  
7 **BY THE STATE BOARD, AND SHALL:**

8           **(I) INCLUDE A STATEMENT EXPLAINING THAT THE**  
9 **APPLICANT'S VOTER REGISTRATION HAS BEEN UPDATED, AND STATING THAT IF THE**  
10 **UPDATE WAS IN ERROR, THE APPLICANT SHOULD AFFIRMATIVELY CORRECT THE**  
11 **UPDATE;**

12           **(II) ALLOW THE APPLICANT TO CORRECT THE UPDATE BY**  
13 **MAKING AN APPROPRIATE NOTATION AND RETURNING THE NOTICE POSTAGE**  
14 **PREPAID; AND**

15           **(III) INCLUDE INSTRUCTIONS REGARDING HOW THE APPLICANT**  
16 **MAY:**

17                   **1. CORRECT THE UPDATE ELECTRONICALLY; AND**

18                   **2. OBTAIN MORE INFORMATION ABOUT THE NOTICE.**

19           **(F) (1) WHEN THE STATE BOARD RECEIVES AN APPLICANT'S VOTER**  
20 **REGISTRATION INFORMATION UNDER SUBSECTION (D)(3) OF THIS SECTION AND NO**  
21 **OTHER INFORMATION INDICATES THAT THE APPLICANT IS NOT QUALIFIED TO**  
22 **BECOME A REGISTERED VOTER, THE STATE BOARD SHALL:**

23           **(I) WITHIN 5 BUSINESS DAYS AFTER THE RECEIPT OF THE**  
24 **APPLICANT'S VOTER REGISTRATION INFORMATION, CAUSE AN AUTOMATIC VOTER**  
25 **REGISTRATION NOTICE TO BE SENT BY NONFORWARDABLE MAIL TO THE**  
26 **APPLICANT; AND**

27           **(II) 1. IF THE APPLICANT DOES NOT AFFIRMATIVELY**  
28 **DECLINE TO BE REGISTERED TO VOTE WITHIN 21 DAYS AFTER THE MAILING OF THE**  
29 **AUTOMATIC VOTER REGISTRATION NOTICE, CAUSE THE APPLICANT TO BE LISTED IN**  
30 **ACTIVE VOTER STATUS IN THE STATEWIDE VOTER REGISTRATION LIST; OR**

31                   **2. IF THE APPLICANT AFFIRMATIVELY DECLINES TO BE**  
32 **REGISTERED TO VOTE, CAUSE THE APPLICANT'S INFORMATION TO BE CANCELED**  
33 **FROM THE STATEWIDE VOTER REGISTRATION LIST.**

1           **(2) THE STATE BOARD MAY ASSIGN RESPONSIBILITY FOR**  
2 **PERFORMING SOME OR ALL OF THE PROCEDURES DESCRIBED IN PARAGRAPH (1) OF**  
3 **THIS SUBSECTION TO THE LOCAL BOARDS.**

4           **(3) THE STATE BOARD SHALL PROVIDE AN ELECTRONIC MEANS BY**  
5 **WHICH AN APPLICANT MAY SELECT A POLITICAL PARTY AFFILIATION.**

6           **(4) AN AUTOMATIC VOTER REGISTRATION NOTICE MAY BE COMBINED**  
7 **WITH A VOTER ACKNOWLEDGMENT NOTICE OR VOTER NOTIFICATION CARD**  
8 **DESCRIBED IN § 3-301(C) OF THIS TITLE, SHALL BE IN A FORMAT PRESCRIBED BY**  
9 **THE STATE BOARD, AND SHALL:**

10           **(I) INFORM THE APPLICANT:**

11                   **1. THAT THE APPLICANT SHALL BE REGISTERED TO**  
12 **VOTE UNLESS THE APPLICANT DECLINES TO REGISTER TO VOTE OR IF THE**  
13 **APPLICANT IS NOT ELIGIBLE TO REGISTER TO VOTE;**

14                   **2. OF THE QUALIFICATIONS TO REGISTER TO VOTE**  
15 **UNDER § 3-102 OF THIS TITLE;**

16                   **3. THAT THE APPLICANT SHOULD DECLINE**  
17 **REGISTRATION IF THE APPLICANT DOES NOT MEET ALL THE QUALIFICATIONS FOR**  
18 **VOTER REGISTRATION;**

19                   **4. OF THE PENALTIES FOR THE SUBMISSION OF A FALSE**  
20 **APPLICATION;**

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

24                   **6. THAT IF THE APPLICANT DOES NOT SELECT A**  
25 **POLITICAL PARTY AFFILIATION, THE APPLICANT WILL BE DESIGNATED AS NOT**  
26 **AFFILIATED WITH A POLITICAL PARTY AND WILL BE UNABLE TO VOTE IN A PARTY**  
27 **PRIMARY ELECTION;**

28           **(II) ALLOW THE APPLICANT TO:**

29                   **1. DECLINE TO BE REGISTERED TO VOTE BY MAKING AN**  
30 **APPROPRIATE NOTATION AND RETURNING THE NOTICE POSTAGE PREPAID; AND**



1                   **2. SELECT A POLITICAL PARTY AFFILIATION BY MAKING**  
2 **AN APPROPRIATE NOTATION AND RETURNING THE NOTICE POSTAGE PREPAID; AND**

3                   **(III) INCLUDE INSTRUCTIONS REGARDING HOW THE APPLICANT**  
4 **MAY:**

5                   **1. SELECT A POLITICAL PARTY AFFILIATION**  
6 **ELECTRONICALLY; AND**

7                   **2. OBTAIN MORE INFORMATION ABOUT THE NOTICE.**

8                   **(5) IF THE STATE BOARD OR A LOCAL BOARD, AFTER REVIEWING THE**  
9 **VOTER REGISTRATION INFORMATION RECEIVED BY THE STATE BOARD UNDER**  
10 **SUBSECTION (D)(3) OF THIS SECTION, DETERMINES THAT AN APPLICANT IS**  
11 **CURRENTLY REGISTERED TO VOTE, THE STATE BOARD OR LOCAL BOARD SHALL**  
12 **PROCESS THE VOTER REGISTRATION INFORMATION IN ACCORDANCE WITH**  
13 **SUBSECTION (E) OF THIS SECTION.**

14                   **(6) A DOCUMENT DEMONSTRATING THAT AN APPLICANT IS A UNITED**  
15 **STATES CITIZEN PRESENTED DURING AN APPLICANT'S PREVIOUS TRANSACTION**  
16 **WITH THE ADMINISTRATION AND RETAINED BY THE ADMINISTRATION UNDER 6**  
17 **C.F.R. § 37.31 SATISFIES THE REQUIREMENT OF SUBSECTION (D)(3)(I)2 OF THIS**  
18 **SECTION FOR A SUBSEQUENT APPLICABLE TRANSACTION AT THE ADMINISTRATION.**

19                   **(7) SOLELY FOR PURPOSES OF DETERMINING WHETHER AN**  
20 **APPLICANT HAS MET THE REQUIREMENT OF SUBSECTION (D)(3)(I)2 OF THIS**  
21 **SECTION, THE ADMINISTRATION MAY IMPLEMENT ADDITIONAL PROCEDURES TO**  
22 **REVIEW COPIES OF DOCUMENTS DEMONSTRATING THAT THE APPLICANT IS A**  
23 **UNITED STATES CITIZEN THAT WERE PRESENTED DURING AN APPLICANT'S**  
24 **PREVIOUS TRANSACTION WITH THE ADMINISTRATION AND RETAINED BY THE**  
25 **ADMINISTRATION UNDER 6 C.F.R. § 37.31.**

26                   **(G) (1) THE EXCHANGE SHALL IDENTIFY EACH APPLICABLE**  
27 **TRANSACTION AT THE EXCHANGE IN WHICH AN APPLICANT'S ATTESTATION OF**  
28 **UNITED STATES CITIZENSHIP IS RELIABLY VERIFIED THROUGH AN ELECTRONIC**  
29 **DATABASE MATCH AS PART OF THE ELIGIBILITY DETERMINATION PROCESS.**

30                   **(2) THE EXCHANGE MAY NOT OFFER A VOTER REGISTRATION**  
31 **OPPORTUNITY TO AN APPLICANT, AND MAY NOT TRANSMIT ANY VOTER**  
32 **REGISTRATION INFORMATION ABOUT AN APPLICANT TO THE STATE BOARD, IF THE**  
33 **APPLICANT ATTESTS THAT THE APPLICANT IS NOT A UNITED STATES CITIZEN AT**  
34 **THE TIME OF THE APPLICABLE TRANSACTION.**

1           **(3) THE EXCHANGE SHALL OFFER AN APPLICANT FOR AN**  
2 **APPLICABLE TRANSACTION A VOTER REGISTRATION OPPORTUNITY IN**  
3 **ACCORDANCE WITH § 3-203 OF THIS SUBTITLE IF:**

4           **(I) THE APPLICANT'S ATTESTATION OF CITIZENSHIP IS NOT**  
5 **RELIABLY VERIFIED THROUGH AN ELECTRONIC DATABASE MATCH; AND**

6           **(II) THE APPLICANT HAS NOT ATTESTED THAT THE APPLICANT**  
7 **IS NOT A UNITED STATES CITIZEN.**

8           **(4) THE EXCHANGE SHALL MAINTAIN AN ELECTRONIC INFORMATION**  
9 **SYSTEM THAT ALLOWS THE EXCHANGE TO DETERMINE, AT THE TIME THAT AN**  
10 **APPLICANT SUBMITS INFORMATION TO THE EXCHANGE IN AN APPLICABLE**  
11 **TRANSACTION, WHETHER THE APPLICANT IS CURRENTLY REGISTERED TO VOTE IN**  
12 **THE STATE.**

13           **(5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
14 **PARAGRAPH, THE EXCHANGE SHALL IMPLEMENT THE AUTOMATIC VOTER**  
15 **REGISTRATION UPDATE PROCEDURE IN ACCORDANCE WITH PARAGRAPH (6) OF**  
16 **THIS SUBSECTION OR THE AUTOMATIC VOTER REGISTRATION PROCEDURE IN**  
17 **ACCORDANCE WITH PARAGRAPH (7) OF THIS SUBSECTION IF:**

18                   **1. AN APPLICANT'S ATTESTATION OF CITIZENSHIP IS**  
19 **RELIABLY VERIFIED THROUGH AN ELECTRONIC DATABASE MATCH AS PART OF THE**  
20 **ELIGIBILITY DETERMINATION PROCESS; AND**

21                   **2. THE APPLICANT PROVIDES INFORMATION AS PART OF**  
22 **THE APPLICABLE TRANSACTION DEMONSTRATING THAT THE APPLICANT IS AT**  
23 **LEAST 16 YEARS OLD AND IS A RESIDENT OF THE STATE AS OF THE DATE OF THE**  
24 **APPLICABLE TRANSACTION.**

25           **(II) IF AN APPLICANT IS CURRENTLY REGISTERED TO VOTE IN**  
26 **THE STATE AND THE INFORMATION SUBMITTED BY THE APPLICANT TO THE**  
27 **EXCHANGE INDICATES THAT THE APPLICANT HAS NOT CHANGED THE APPLICANT'S**  
28 **RESIDENTIAL ADDRESS, MAILING ADDRESS, OR NAME, THE EXCHANGE MAY NOT**  
29 **TAKE ANY FURTHER ACTION WITH REGARD TO THE APPLICANT'S VOTER**  
30 **REGISTRATION.**

31           **(6) (I) IF AN APPLICANT IS CURRENTLY REGISTERED TO VOTE IN**  
32 **THE STATE AND THE INFORMATION SUBMITTED BY THE APPLICANT TO THE**  
33 **EXCHANGE INDICATES THAT THE APPLICANT HAS CHANGED THE APPLICANT'S**  
34 **RESIDENTIAL ADDRESS, MAILING ADDRESS, OR NAME, THE EXCHANGE SHALL:**

1           **1.     WITHIN 5 BUSINESS DAYS AFTER THE RECEIPT OF THE**  
2 **APPLICANT’S INFORMATION, CAUSE AN AUTOMATIC VOTER REGISTRATION UPDATE**  
3 **NOTICE TO BE SENT BY NONFORWARDABLE MAIL TO THE APPLICANT; AND**

4           **2.     A.    IF THE APPLICANT DOES NOT AFFIRMATIVELY**  
5 **CORRECT THE AUTOMATIC VOTER REGISTRATION UPDATE NOTICE IN WRITING**  
6 **WITHIN 21 DAYS AFTER THE MAILING OF THE AUTOMATIC VOTER REGISTRATION**  
7 **UPDATE NOTICE, ELECTRONICALLY TRANSMIT THE VOTER REGISTRATION**  
8 **INFORMATION OF THE APPLICANT DIRECTLY TO THE STATE BOARD; OR**

9           **B.    IF THE APPLICANT AFFIRMATIVELY CORRECTS THE**  
10 **AUTOMATIC VOTER REGISTRATION UPDATE NOTICE IN WRITING WITHIN 21 DAYS**  
11 **AFTER THE MAILING OF THE AUTOMATIC VOTER REGISTRATION UPDATE NOTICE,**  
12 **ELECTRONICALLY TRANSMIT THE CORRECTED VOTER REGISTRATION**  
13 **INFORMATION OF THE APPLICANT DIRECTLY TO THE STATE BOARD.**

14           **(II)   THE EXCHANGE SHALL PROVIDE AN ELECTRONIC MEANS**  
15 **BY WHICH AN APPLICANT MAY CORRECT A VOTER REGISTRATION UPDATE UNDER**  
16 **SUBPARAGRAPH (I)2B OF THIS PARAGRAPH.**

17           **(III)   THE AUTOMATIC VOTER REGISTRATION UPDATE NOTICE**  
18 **SENT UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE PRESCRIBED BY**  
19 **THE EXCHANGE, IN COLLABORATION WITH THE STATE BOARD, IN A FORMAT**  
20 **SUBSTANTIALLY SIMILAR TO THE AUTOMATIC VOTER REGISTRATION UPDATE**  
21 **NOTICE REQUIRED UNDER SUBSECTION (E)(4) OF THIS SECTION.**

22           **(7)   (I)   IF AN APPLICANT IS NOT CURRENTLY REGISTERED TO VOTE**  
23 **IN THE STATE AND NO INFORMATION SUBMITTED BY THE APPLICANT TO THE**  
24 **EXCHANGE INDICATES THAT THE APPLICANT IS NOT QUALIFIED TO BECOME A**  
25 **REGISTERED VOTER, THE EXCHANGE SHALL:**

26           **1.     WITHIN 5 BUSINESS DAYS AFTER THE RECEIPT OF THE**  
27 **APPLICANT’S INFORMATION, CAUSE AN AUTOMATIC VOTER REGISTRATION NOTICE**  
28 **TO BE SENT BY NONFORWARDABLE MAIL TO THE APPLICANT; AND**

29           **2.     A.    IF THE APPLICANT DOES NOT AFFIRMATIVELY**  
30 **DECLINE TO BE REGISTERED TO VOTE WITHIN 21 DAYS AFTER THE MAILING OF THE**  
31 **AUTOMATIC VOTER REGISTRATION NOTICE, ELECTRONICALLY TRANSMIT THE**  
32 **VOTER REGISTRATION INFORMATION OF THE APPLICANT DIRECTLY TO THE STATE**  
33 **BOARD; OR**

1                   **B. IF THE APPLICANT AFFIRMATIVELY DECLINES TO BE**  
2 **REGISTERED TO VOTE, PREVENT THE TRANSMISSION OF THE VOTER REGISTRATION**  
3 **INFORMATION OF THE APPLICANT TO THE STATE BOARD.**

4                   **(II) THE EXCHANGE SHALL PROVIDE AN ELECTRONIC MEANS**  
5 **BY WHICH AN APPLICANT MAY:**

6                   1. **DECLINE VOTER REGISTRATION UNDER**  
7 **SUBPARAGRAPH (I)2B OF THIS PARAGRAPH; OR**

8                   2. **SELECT A POLITICAL PARTY AFFILIATION.**

9                   **(III) THE AUTOMATIC VOTER REGISTRATION NOTICE SENT**  
10 **UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE PRESCRIBED BY THE**  
11 **EXCHANGE, IN COLLABORATION WITH THE STATE BOARD, IN A FORMAT**  
12 **SUBSTANTIALLY SIMILAR TO THE AUTOMATIC VOTER REGISTRATION NOTICE**  
13 **REQUIRED UNDER SUBSECTION (F)(4) OF THIS SECTION.**

14                   **(8) (I) FOR EACH APPLICANT WHOSE VOTER REGISTRATION**  
15 **INFORMATION IS TRANSMITTED TO THE STATE BOARD UNDER PARAGRAPH (6) OF**  
16 **THIS SUBSECTION, THE STATE BOARD SHALL:**

17                   1. **CAUSE THE STATEWIDE VOTER REGISTRATION LIST**  
18 **TO BE UPDATED; AND**

19                   2. **IF THE APPLICANT IS IN INACTIVE VOTER STATUS,**  
20 **CAUSE THE APPLICANT TO BE RESTORED TO ACTIVE VOTER STATUS AS PROVIDED IN**  
21 **§ 3-503 OF THIS TITLE.**

22                   **(II) FOR EACH APPLICANT WHOSE VOTER REGISTRATION**  
23 **INFORMATION IS TRANSMITTED TO THE STATE BOARD UNDER PARAGRAPH (7) OF**  
24 **THIS SUBSECTION, THE STATE BOARD SHALL CAUSE THE APPLICANT TO BE LISTED**  
25 **IN ACTIVE VOTER STATUS IN THE STATEWIDE VOTER REGISTRATION LIST.**

26                   **(III) THE STATE BOARD MAY ASSIGN RESPONSIBILITY FOR**  
27 **PERFORMING SOME OR ALL OF THE PROCEDURES DESCRIBED IN SUBPARAGRAPHS**  
28 **(I) AND (II) OF THIS PARAGRAPH TO THE LOCAL BOARDS.**

29                   **(IV) IF THE STATE BOARD OR A LOCAL BOARD, AFTER**  
30 **REVIEWING THE VOTER REGISTRATION INFORMATION RECEIVED BY THE STATE**  
31 **BOARD UNDER PARAGRAPH (7) OF THIS SUBSECTION, DETERMINES THAT AN**  
32 **APPLICANT IS CURRENTLY REGISTERED TO VOTE, THE STATE BOARD OR LOCAL**

1 BOARD SHALL PROCESS THE VOTER REGISTRATION INFORMATION IN ACCORDANCE  
2 WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

3 (9) THE PROCEDURES FOR AUTOMATIC VOTER REGISTRATION AT  
4 THE EXCHANGE UNDER THIS SUBSECTION:

5 (I) ARE SUBJECT TO FEDERAL LAWS AND REGULATIONS  
6 GOVERNING APPLICABLE TRANSACTIONS AT THE EXCHANGE; AND

7 (II) MAY BE MODIFIED BY THE EXCHANGE AND THE STATE  
8 BOARD WHEN NECESSARY TO COMPLY WITH FEDERAL LAWS AND REGULATIONS.

9 (10) (I) THE EXCHANGE MAY ASSIGN RESPONSIBILITY FOR  
10 PERFORMING SOME OR ALL OF THE PROCEDURES REQUIRED TO BE PERFORMED BY  
11 THE EXCHANGE UNDER THIS SUBSECTION TO AN AGENT OF THE EXCHANGE.

12 (II) SUBJECT TO FEDERAL LAWS AND REGULATIONS  
13 GOVERNING APPLICABLE TRANSACTIONS, THE STATE BOARD MAY SERVE AS AN  
14 AGENT OF THE EXCHANGE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

15 (H) THE STATE BOARD MAY:

16 (1) IDENTIFY ADDITIONAL STATE, FEDERAL, OR LOCAL AGENCIES  
17 THAT, IN THE REGULAR COURSE OF BUSINESS, RELIABLY VERIFY APPLICANTS'  
18 CITIZENSHIP BY VERIFYING DOCUMENTS OR THROUGH AN ELECTRONIC DATABASE  
19 MATCH; AND

20 (2) WITH THE CONSENT OF THE AGENCY, IMPLEMENT THE  
21 PROCEDURES FOR AUTOMATIC VOTER REGISTRATION IN ACCORDANCE WITH  
22 SUBSECTION (F) OF THIS SECTION.

23 (I) THE STATE BOARD MAY:

24 (1) IDENTIFY ADDITIONAL STATE, FEDERAL, OR LOCAL AGENCIES  
25 THAT, IN THE REGULAR COURSE OF BUSINESS, RELIABLY COLLECT SUFFICIENT  
26 INFORMATION TO UPDATE THE VOTER REGISTRATION INFORMATION OF  
27 APPLICANTS CURRENTLY REGISTERED TO VOTE IN THE STATE; AND

28 (2) WITH THE CONSENT OF THE AGENCY, IMPLEMENT THE  
29 PROCEDURES FOR AUTOMATIC VOTER REGISTRATION UPDATES IN ACCORDANCE  
30 WITH SUBSECTION (E) OF THIS SECTION.

1           **(J) (1) THE PROCEDURES UNDER THIS SECTION MAY NOT APPLY TO AN**  
2 **APPLICANT FOR AN APPLICABLE TRANSACTION WHO IS A PARTICIPANT IN THE**  
3 **ADDRESS CONFIDENTIALITY PROGRAM UNDER TITLE 7, SUBTITLE 3 OF THE STATE**  
4 **GOVERNMENT ARTICLE.**

5           **(2) THE ADMINISTRATION AND THE EXCHANGE SHALL IMPLEMENT**  
6 **PROCEDURES THAT PREVENT THE TRANSMISSION OF VOTER REGISTRATION**  
7 **INFORMATION UNDER THIS SECTION CONCERNING A PARTICIPANT IN THE ADDRESS**  
8 **CONFIDENTIALITY PROGRAM UNDER TITLE 7, SUBTITLE 3 OF THE STATE**  
9 **GOVERNMENT ARTICLE TO THE STATE BOARD.**

10           **(3) THE STATE BOARD OR THE EXCHANGE MAY EXCLUDE**  
11 **PARTICIPANTS IN THE PERSONAL INFORMATION CONFIDENTIALITY PROGRAM**  
12 **UNDER COMAR 33.04.02.01 THROUGH 33.04.02.07 FROM THE AUTOMATIC VOTER**  
13 **REGISTRATION UPDATE PROCEDURE UNDER SUBSECTION (E) OR (G)(6) OF THIS**  
14 **SECTION OR MODIFY THE PROCEDURE FOR PARTICIPANTS IN THE PROGRAM AS**  
15 **NECESSARY.**

16           **(K) EXCEPT AS OTHERWISE PROVIDED IN REGULATIONS ADOPTED BY THE**  
17 **STATE BOARD, THE PROCEDURES REQUIRED IN SUBSECTIONS (E), (F), AND (G)(8)(I)**  
18 **AND (II) OF THIS SECTION DO NOT APPLY WHEN VOTER REGISTRATION IS CLOSED**  
19 **UNDER § 3-302 OF THIS TITLE.**

20           **(L) AN APPLICANT WHO IS SENT AN AUTOMATIC VOTER REGISTRATION**  
21 **NOTICE UNDER THIS SECTION:**

22           **(1) WHO DOES NOT AFFIRMATIVELY DECLINE TO BE REGISTERED TO**  
23 **VOTE WITHIN 21 DAYS AFTER THE MAILING OF THE AUTOMATIC VOTER**  
24 **REGISTRATION NOTICE SHALL BE DEEMED TO HAVE BEEN REGISTERED ON THE**  
25 **DATE OF THE APPLICABLE TRANSACTION; AND**

26           **(2) WHO AFFIRMATIVELY DECLINES TO REGISTER TO VOTE WITHIN 21**  
27 **DAYS AFTER THE MAILING OF THE AUTOMATIC VOTER REGISTRATION NOTICE SHALL**  
28 **BE DEEMED NEVER TO HAVE REGISTERED TO VOTE OR HAVE ATTEMPTED TO**  
29 **REGISTER TO VOTE.**

30 3-303.

31           (a) Notification of a change of party affiliation or a change to or from a decline  
32 may be made:

33           (1) by information provided on a voter registration application by the same  
34 methods provided for registration under Subtitle 2 of this title;

1 (2) by written notice, signed by the voter and sent by mail or otherwise  
2 delivered to the local board in the county where the voter's current voter registration  
3 address is located or to which the voter has moved;

4 (3) by making application in person at the office of the local board in the  
5 county where the voter's current voter registration address is located or to which the voter  
6 has moved;

7 (4) by information on a voter authority card or other appropriate form filled  
8 out in a polling place; or

9 (5) by changing a name or address with the Motor Vehicle Administration.

10 (b) Party affiliation changes or changes to or from a decline:

11 (1) shall be processed at any time that registration is open; and

12 (2) except as provided in subsection (c) of this section, may not be processed  
13 when registration is closed.

14 (c) If a local board receives a request for a party affiliation change after the close  
15 of registration, the local board shall make the change and it shall become effective for the  
16 next election provided:

17 (1) there is sufficient evidence, as determined by the local boards pursuant  
18 to regulations adopted by the State Board, that the request was mailed on or before the  
19 close of registration for that election; [or]

20 (2) the request was submitted by the voter to the Motor Vehicle  
21 Administration, a voter registration agency, another local board, or the State Board on or  
22 before the close of registration for that election; OR

23 **(3) THE REQUEST WAS SUBMITTED BY A VOTER:**

24 **(I) WHOSE VOTER REGISTRATION INFORMATION WAS**  
25 **TRANSMITTED TO THE STATE BOARD UNDER § 3-203.1(F) OR (G)(7) OF THIS TITLE;**

26 **(II) WHO HAS NOT AFFILIATED WITH A POLITICAL PARTY SINCE**  
27 **THE TIME THE VOTER'S VOTER REGISTRATION INFORMATION WAS SENT TO THE**  
28 **STATE BOARD UNDER § 3-203.1(F) OR (G)(7) OF THIS TITLE; AND**

29 **(III) WHO MAKES THE REQUEST ON:**

30 **1. A VOTER AUTHORITY CARD OR OTHER APPROPRIATE**  
31 **FORM FILLED OUT IN A POLLING PLACE; OR**

**2. AN ABSENTEE BALLOT APPLICATION.**

3-503.

(a) If a voter fails to respond to a confirmation notice under § 3-502(c) of this subtitle, the voter's name shall be placed into inactive status on the statewide voter registration list.

(b) A voter shall be restored to active status on the statewide voter registration list after:

**(1)** completing and signing any of the following election documents:

**[(1)] (I)** a voter registration application;

**[(2)] (II)** a petition governed by Title 6 of this article;

**[(3)] (III)** a certificate of candidacy;

**[(4)] (IV)** an absentee ballot application; or

**[(5)] (V)** a written affirmation of residence completed on election day to entitle the voter to vote either at the election district or precinct for the voter's current residence or the voter's previous residence, as determined by the State Board; **OR**

**(2) COMPLETING AN APPLICABLE TRANSACTION THAT RESULTS IN THE TRANSMISSION OF VOTER REGISTRATION INFORMATION TO THE STATE BOARD UNDER § 3-203.1(E) OR (G)(6) OF THIS TITLE.**

(c) An inactive voter who fails to vote in an election in the period ending with the second general election shall be removed from the statewide voter registration list.

(d) Registrants placed into inactive status may not be counted for official administrative purposes including establishing precincts and reporting official statistics.

**SECTION 3. AND BE IT FURTHER ENACTED,** That this Act shall take effect January 1, 2025.