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Baltimore County

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—
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR DELORES G. KELLEY

**REGARDING SENATE BILL 63-GENERAL ASSEMBLY-RESIDENCY
REQUIREMENT-ENFORCEMENT FACTORS**

**BEFORE THE SENATE EDUCATION, HEALTH AND
ENVIRONMENTAL AFFAIRS COMMITTEE**

ON JANUARY 26, 2022

Colleagues, every Marylander who runs for a seat in the General Assembly, or who actually serves as a member is required by Article III, Section 9 of the Maryland Constitution to be a legal resident of the legislative district in which he or she runs or is elected to serve.

Senate Bill 63 is here to provide guidance to candidates and/or members who appear to be confused or in non-compliance with Article III, Section 9 of our Constitution. This Bill has no impact on candidates who are temporarily or periodically out of their district or residence because of military service.

Senate Bill 63 specifies the following factors which the State Board of Elections, or a Maryland Court shall consider in determining whether the

actual residence of each candidate for the General Assembly or each member of the General Assembly is in compliance with the Maryland Constitution:

- **the address listed on the member's driver's license or other state-issued identification card;**
- **the street address where the member received mail, unless the address is a Post Office Box;**
- **whether the building claimed as the member's residence is zoned for residential use and complies with any applicable building codes;**
- **whether the member owns, rents, or leases residential property claimed as the member's residence;**
- **whether there is proof that the member has paid for and used utilities at the address claimed by the member as the member's residence;**
- **whether member receives mail at the address claimed as the member's residence;**
- **whether the school registration of any minor children of the member lists the address claimed as the member's residence;**
- **whether the member's spouse or any other immediate family members reside at the address claimed as the member's residence;**
- **the address listed on the member's driver's license or other state-issued identification card;**
- **whether the address claimed as the member's residence is also listed as the member's residence in other employment records;**

- **whether the address claimed as the member's residence is also listed on any motor vehicle registration or title held by the member;**
- **whether the address claimed as the member's residence matches the address listed on the member's Maryland and Federal tax returns; and**
- **whether the member is an active duty member of the military.**

This list will be helpful when the Counsel for the General Assembly conducts the required annual review with each member of the General Assembly, as well as, being helpful to the Maryland Courts.

I am submitting amendments to add sponsors to this Bill. I also ask that all members of the Senate Committee on Education, Health and Environmental Affairs sign on as sponsors of SB 63 and I certainly ask for the vote of every member in support of this much needed legislation.