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Modernizing the ballot petition process

Commentary: (https://thedailyrecord.com/.../modernizing-the-ballot-petition-process/&title=Modernizing%20the%20ballot%20petition%20process) **4 Minute Read**

In April of 2020, when the COVID-19 state of emergency shut down Maryland, the Maryland State Board of Elections had to figure out different ways to run almost all aspects... You can read the content in details following link https%3A%2F%2Fthedailyrecord.com%2F2024%2F03%2F01%2Fmodernizing-the-ballot-petition-process%2F)

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In April of 2020, when the COVID-19 state of emergency shut down Maryland, the Maryland State Board of Elections had to figure out different ways to run almost all aspects of elections. Some innovations that came out of that time, like ballot drop boxes and permanent vote-by-mail, have made their way into law. This modernization made it easier for voters to vote and for state and local boards of election to do their job.



One COVID-era innovation that still needs to be made permanent is SBE policy that allowed electronic signatures on ballot petitions.

The Maryland Constitution lays out provisions for representative democracy and for grassroots democracy. The grassroots democracy rights – creating county charter commissions and placing unaffiliated candidates, small parties, and policy questions on the ballot – are activated by registered voters signing petitions. These petitions are collected on paper forms where voters handwrite their information and their signature.

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After collecting thousands of pages of signatures, petition sponsors turn them into the state or local boards of election. The elections staff then validate each of the signatures by looking up the handwritten information in the state voter database.

Signatures can be invalidated if the handwriting is illegible, the first name and middle initial do not match the database, or if a variety of other detailed requirements are not met. If a voter's signature is invalidated by the state or local board, the voter who signed the petition is not notified, and does not have an opportunity to fix technical errors.

The nature of the process means that astounding numbers of voter signatures are invalidated. The No Labels Party recently submitted a successful new party petition. A new party needs 10,000 valid signatures. No Labels submitted 19,460 signatures, 13,625 were approved and 5,835 were rejected. That is 30% of signatures invalidated.

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This is not uncommon: In 2022, the Baltimore Transit Equity Coalition, a grassroots group, advocated for a Baltimore City Charter Amendment that would have authorized the creation of a Baltimore Regional Transit Authority. The coalition needed 10,000 valid signatures to get its charter amendment on the ballot. They submitted 14,943 signatures: 9,678 were accepted, 5,265 were rejected. Over 35% of signatures were invalidated, and the coalition missed the threshold of 10,000 by 322 signatures.

The coalition took this case to court. While the case was ultimately dismissed, Judge Lawrence Fletcher-Hill expressed serious misgivings about the board's methods of validating and invalidating signatures, focusing on a page of signatures where the board invalidated multiple seemingly valid signatures.

If 30% or more of mail-in voting requests, voter registration applications, or mail-in ballots were rejected by the board, there would be a public outcry. If voters were never notified about the invalidation of their information and had no opportunity to correct technical errors, the General Assembly would demand the SBE present them with a solution, immediately.

The Ballot Petition Modernization Act (HB 1109/SB 1029), sponsored by Del. Sheila Ruth and Sen. Jill Carter, is that solution. It requires the State Board of Elections to create regulations to accept electronic petitions on ballot petitions. It also takes the lessons from BTECs rejected petition and creates more reasonable validation standards for each signature, allows voters the opportunity to correct technical errors, and clarifies the administrative process for handling petitions deemed insufficient.

In the spring of 2020 I worked with Jared DeMaranis and other members of the State Board of Elections staff to figure out how petitioning would work during the state of emergency. The SBE adopted policy that allowed the temporary collection of electronic signatures on petitions.

In 2023, when DeMaranis was selected to be the administrator of the SBE, he told The Baltimore Sun, "Online petition gathering has been brought up before our board (by third-party officials), and it's one of those things we looked at. We allowed it for COVID and it was successful, but over time, it's definitely a part that is in the domain of policymakers."

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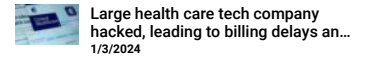


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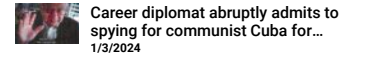
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Over 90% of signatures submitted through the electronic process in 2020 were validated. It was easier and more accessible for voters to fill out petitions, and easier for the state and local boards to verify them. The Ballot Petition Modernization Act is common-sense legislation that addresses gaps in the process and makes permanent a successful COVID innovation. It is good policy for voters, election officials, and democracy.

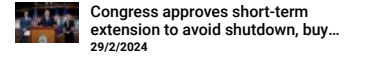
Andy Ellis is the former Baltimore chair and state co-chair of the Maryland Green Party.



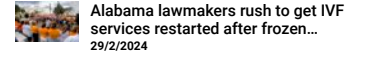
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