



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

SPONSOR TESTIMONY IN SUPPORT OF HB1109
ELECTION LAW - REGISTERED VOTER LIST AND PETITIONS
(BALLOT PETITION MODERNIZATION ACT)

Delegate Sheila Ruth
March 5, 2024

Ballot petitions are a fundamental way for citizens to participate in the democratic process, guaranteed in our state's Constitution. As elected officials it is our job to ensure that those who elected us can participate in this process to its fullest. Citizens of Maryland can collect petition signatures to place a local charter amendment, party, or independent candidate on the ballot. Signatures are still collected like they always have been, for the most part: circulators carry paper forms that voters must fill out to sign the petition, then the circulator signs an affidavit at the bottom of the completed signature page.

However, the rules for collection are far too strict and complex. Minor errors that are easy to make can invalidate a voter's signature entirely. For example, the voter must either sign their name in full *exactly* as it appears on their voter registration, *or* they must include their surname as it appears on the registration *along* with at least one full given name and the initials of any other names. Failure to meet these name requirements *exactly* results in the invalidation of the signature and essentially disenfranchises the voter over a very simple mistake.

How must the signer print his/her name before it will be counted?

The name either has to match the registration list or include all parts of the name required in the statute. Section 6-203 of the Election Law Article states "To sign a petition, an individual shall: (1) sign the individual's name as it appears on the statewide voter registration list or the

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individual's surname of registration and at least one full given name and the initials of any other names."

For example, if a voter is registered as Margaret Hall Smith, it is permissible for her to sign as Margaret H. Smith or M. Hall Smith. But M.H. Smith or Margaret Smith is not permissible and will be invalidated. Additionally, the use of her nickname, Peggy Smith or her married name Mrs. John Smith will be invalidated. If a voters' registered name has a suffix (i.e. Jr., Sr., III, etc.) the signature will not be invalidated if the signer fails to include it on the petition.

This is only one example. There are many other reasons a signature can be invalidated, and they are so common that petitioners are generally advised by the Board of Elections to turn in at least 15,000 signatures to ensure they meet the requirement of only 10,000.

Electronic signatures are legal and used widely in other fields and locales. I've signed many official documents electronically as I'm sure you have. If one can sign legal, financial, and healthcare-related documents electronically from home in 2024, then why should it be different when it comes to a ballot petition? Indeed, the Maryland State Board of Elections allowed ballot petitions to be signed electronically as a temporary measure in 2020 and early 2021 in response to the COVID-19 pandemic. In our digital age ballot petitions can and should be able to be signed electronically.

Some voters also may not be able to physically sign a petition on paper. People with disabilities, those who work long hours or are otherwise away from home for extended periods, and residents of care facilities may all find it difficult or even impossible to sign a ballot petition in this way. Voters should be able to exercise their democratic rights and sign these petitions electronically.

HB1109 includes a series of measures to modernize the ballot petition process, fix problems that petition campaigns have encountered, and increase its accessibility to Maryland's citizens. This bill:

- requires the State Board of Elections to develop regulations for the electronic collection and validation of those signatures, as well as secure voter data storage protocols.
- allows signers to use a derivative of their given name (e.g. substituting "Nick" for "Nicholas") if their identity can be reasonably confirmed (surnames must still match those on the signers' voter registration record).
- allows signers to sign an affidavit confirming the validity of their own signature.
- requires a signature page to clearly mark what information (e.g birthdate) is optional to provide.
- requires accessibility of electronic signature pages for people with disabilities.
- requires the responsible Board of Elections to provide the list of signers in a timely way to the petition campaign following a determination of deficiency, with indications of each invalidated signature, and allows the Board of Elections to charge a reasonable fee for the cost of copying.
- allows for voters whose signatures were invalidated due to a technical error (e.g. missing, partial, or misspelled names, addresses, or dates) to submit a corrected signature page up until 85 days before the election.

The Maryland Constitution states that "[t]he General Assembly shall prescribe by law the form of the petition, the manner for verifying its authenticity, and other administrative procedures which facilitate the petition process and which are not in conflict with this Article." It is clear that it is up to us, as legislators, to ensure the ballot petition process is accessible to the people of Maryland.

It's high time we brought this process into the 21st century, as we have already demonstrated is possible, and make it as simple as we reasonably can for Marylanders to exercise their democratic rights. I ask for a favorable report for HB1109.