Chapter 289

(House Bill 561)

AN ACT concerning

Election Law – Voter Registration – Exchange of Information

FOR the purpose of requiring State agencies to provide certain data to the State Board of Elections for the purpose of maintaining an accurate statewide voter registration list; prohibiting the State Board from disclosing certain data it receives except under certain circumstances; authorizing the State Board to enter into agreements with other states to exchange certain data that is relevant to maintaining accurate voter registration lists; authorizing the State Board to exchange certain data that is not subject to public disclosure under the Public Information Act with other persons for the purpose of maintaining accurate voter registration lists; prohibiting a person who receives certain data that is not subject to public disclosure under the Public Information Act from using or redisclosing that data except for the purpose of maintaining accurate voter registration lists; requiring the State Board and the Motor Vehicle Administration jointly to submit a report to certain committees of the General Assembly concerning the implementation of a fully automated voter registration system at the Motor Vehicle Administration by a certain date; and generally relating to the exchange of data for the purpose of maintaining accurate voter registration lists.

BY repealing and reenacting, with amendments,
     Article – Election Law
     Section 3–101
     Annotated Code of Maryland
     (2010 Replacement Volume)

     SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Election Law

3–101.

     (a)   There shall be a statewide voter registration list.

     (b)   The statewide voter registration list shall:

     (1)   be the official voter registration list for the State;

(2)   contain the name and other information for every legally registered voter in the State;

(3)   allow each local board to obtain immediate electronic access to the information contained in the list;

(4)   be coordinated with other agency databases in the State;

(5)   be used to produce precinct registers for use in polling places on election day; and

(6)   include voting history information on a current basis for a period covering at least the 5 preceding years.

(c)   The State Administrator shall:

(1)   define, maintain, and administer the statewide voter registration list;

(2)   with the local boards, ensure the currency and accuracy of each individual voter's registration record;

(3)   instruct the local boards on:

(i)   processing voter registration applications and name and address changes;

(ii)   entering voter registration information into the statewide voter registration list; and

(iii)   removing from the statewide voter registration list information about voters who are no longer eligible to be registered voters; and

(4)   subject to relevant federal law and to regulations adopted by the State Board, establish and conduct a program to identify voters who have changed their addresses.

(d)   Registration shall be conducted continuously under the supervision of the State Administrator and in accordance with the provisions of this title, applicable federal law, and regulations adopted by the State Board.

(E)   (1)   A STATE AGENCY SHALL PROVIDE ANY DATA TO THE STATE BOARD THAT THE STATE ADMINISTRATOR DETERMINES IS NECESSARY TO MAINTAIN AN ACCURATE STATEWIDE VOTER REGISTRATION LIST.

(2) SUBJECT TO PARAGRAPH **(3)** OF THIS SUBSECTION, THE STATE BOARD MAY NOT DISCLOSE DATA PROVIDED UNDER PARAGRAPH **(1)** OF THIS SUBSECTION EXCEPT AS PROVIDED IN TITLE 10, SUBTITLE 6, PART III OF THE STATE GOVERNMENT ARTICLE.

(3) (I) THE STATE BOARD MAY ENTER INTO AGREEMENTS WITH OTHER STATES TO EXCHANGE ANY DATA THAT THE STATE ADMINISTRATOR DETERMINES IS RELEVANT TO MAINTAINING ACCURATE VOTER REGISTRATION LISTS.

(II) THE STATE BOARD MAY EXCHANGE DATA THAT IS NOT SUBJECT TO PUBLIC DISCLOSURE UNDER TITLE 10, SUBTITLE 6, PART III OF THE STATE GOVERNMENT ARTICLE WITH OTHER PERSONS AS THE STATE ADMINISTRATOR DETERMINES IS NECESSARY FOR THE SOLE PURPOSE OF MAINTAINING ACCURATE VOTER REGISTRATION LISTS.

(III) A PERSON WHO RECEIVES DATA THAT IS NOT SUBJECT TO PUBLIC DISCLOSURE UNDER TITLE 10, SUBTITLE 6, PART III OF THE STATE GOVERNMENT ARTICLE UNDER THIS PARAGRAPH MAY NOT USE OR REDISCLOSE THAT DATA EXCEPT FOR THE PURPOSE OF MAINTAINING ACCURATE VOTER REGISTRATION LISTS.

[(e)**] (F)**   A registered voter:

(1)   shall remain registered when the voter moves to another county in the State; and

(2)   may not be required to register again unless the voter's registration is canceled in accordance with Subtitle 5 of this title.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a)   In this section, "fully automated voter registration system" means a voter registration system at the Motor Vehicle Administration that:

(1)   eliminates the use of paper voter registration forms by requiring each applicant who wishes to register to vote or update a voter registration record during a driver's license or identification card transaction or other transaction to electronically submit all the information required to register or update the applicant's registration at the time of the transaction; and

(2)   transmits the information submitted under item (1) of this subsection electronically directly to elections officials.

(b)   The State Board of Elections and the Motor Vehicle Administration shall jointly submit a report to the House Committee on Ways and Means, Senate Education, Health, and Environmental Affairs Committee, House Appropriations Committee, and Senate Budget and Taxation Committee by October 1, 2011, concerning actions taken and plans made to implement a fully automated voter registration system at the Motor Vehicle Administration.

(c)   The report submitted under this section shall include:

(1)   a detailed timeline for complete implementation of a fully automated voter registration system at the Motor Vehicle Administration;

(2)   a detailed estimate of the fiscal impact of implementing a fully automated voter registration system; and

(3)   any other issues relating to the implementation of a fully automated voter registration system that the State Board of Elections and the Motor Vehicle Administration consider relevant.

SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Approved by the Governor, May 10, 2011.