

SENATE BILL 630

G1
SB 240/10 – EHE

11r2188

By: **Senator Pipkin**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Petition Signatures**

3 FOR the purpose of repealing provisions of law that require an individual to sign the
4 individual's name on a petition in a certain manner; providing that the petition
5 signature of an individual shall be validated and counted if the identity of the
6 individual reasonably can be determined in accordance with certain
7 requirements; clarifying a certain provision of law relating to the residence of a
8 petition signer; prohibiting an election authority from invalidating a petition
9 signature under certain circumstances; requiring an individual's name on a
10 petition to match exactly the individual's surname of registration; and generally
11 relating to petition signature requirements.

12 BY repealing and reenacting, with amendments,
13 Article – Election Law
14 Section 6–203
15 Annotated Code of Maryland
16 (2010 Replacement Volume)

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

19 **Article – Election Law**

20 6–203.

21 (a) To sign a petition, an individual shall:

22 (1) sign the individual's name [as it appears on the statewide voter
23 registration list or the individual's surname of registration and at least one full given
24 name and the initials of any other names] **IN INK**; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) include the following information, printed or typed, in the spaces
2 provided:

3 (i) the signer's name as it was signed;

4 (ii) the signer's address;

5 (iii) the date of signing; and

6 (iv) other information required by regulations adopted by the
7 State Board.

8 (b) The signature of an individual shall be validated and counted if:

9 (1) the requirements of subsection (a) of this section have been
10 satisfied;

11 **(2) THE IDENTITY OF THE INDIVIDUAL REASONABLY CAN BE**
12 **DETERMINED USING THE INFORMATION REQUIRED UNDER SUBSECTION (A) OF**
13 **THIS SECTION;**

14 **(3) THE SIGNATURE REASONABLY MATCHES THE SIGNATURE FOR**
15 **THE INDIVIDUAL ON FILE WITH THE APPROPRIATE ELECTION AUTHORITY;**

16 ~~[(2)]~~ **(4)** the individual is a registered voter [assigned to the county
17 specified on the signature page] **IN MARYLAND** and, if applicable, in a particular
18 geographic area of [the] A county;

19 ~~[(3)]~~ **(5)** the individual has not previously signed the same petition;

20 ~~[(4)]~~ **(6)** the signature is attested by an affidavit appearing on the
21 page on which the signature appears;

22 ~~[(5)]~~ **(7)** the date accompanying the signature is not later than the
23 date of the affidavit on the page; and

24 ~~[(6)]~~ **(8)** if applicable, the signature was affixed within the requisite
25 period of time, as specified by law.

26 **(c) (1) IF THE ELECTION AUTHORITY REASONABLY CAN CONFIRM**
27 **THE IDENTITY OF THE INDIVIDUAL, THE ELECTION AUTHORITY MAY NOT**
28 **INVALIDATE A SIGNATURE BECAUSE THE INDIVIDUAL SIGNED THE PETITION**
29 **USING A DERIVATIVE OF THE INDIVIDUAL'S GIVEN NAME.**

1 **(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, AN**
2 **INDIVIDUAL'S NAME ON THE PETITION MUST MATCH EXACTLY THE**
3 **INDIVIDUAL'S SURNAME OF REGISTRATION.**

4 **[(c)] (D)** (1) A signature may be removed:

5 (i) by the signer upon written application to the election
6 authority with which the petition will be filed if the application is received by the
7 election authority prior to the filing of that signature; or

8 (ii) prior to the filing of that signature, by the circulator who
9 attested to that signature or by the sponsor of the petition, if it is concluded that the
10 signature does not satisfy the requirements of this title.

11 (2) A signature removed pursuant to paragraph (1)(ii) of this
12 subsection may not be included in the number of signatures stated on the information
13 page included in the petition.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2011.