

SENATE BILL 765

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(11r2565)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Ways and Means* —

Introduced by **Senators Young, King, Madaleno, ~~and Rosapepe~~ Rosapepe, Montgomery, Forehand, Colburn, Manno, and Ferguson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Voter Registration – Exchange of Information**

3 FOR the purpose of requiring State agencies to provide certain data to the State Board
4 of Elections for the purpose of maintaining an accurate statewide voter
5 registration list; prohibiting the State Board from disclosing certain data it
6 receives except under certain circumstances; authorizing the State Board to
7 enter into agreements with other states to exchange certain data that is
8 relevant to maintaining accurate voter registration lists; authorizing the State
9 Board to exchange certain data that is not subject to public disclosure under the
10 Public Information Act with other persons for the purpose of maintaining
11 accurate voter registration lists; prohibiting a person who receives certain data
12 that is not subject to public disclosure under the Public Information Act from
13 using or redisclosing that data except for the purpose of maintaining accurate
14 voter registration lists; requiring the State Board and the Motor Vehicle

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Administration jointly to submit a report to certain committees of the General
 2 Assembly concerning the implementation of a fully automated voter registration
 3 system at the Motor Vehicle Administration by a certain date; and generally
 4 relating to the exchange of data for the purpose of maintaining accurate voter
 5 registration lists.

6 BY repealing and reenacting, with amendments,
 7 Article – Election Law
 8 Section 3–101
 9 Annotated Code of Maryland
 10 (2010 Replacement Volume)

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

13 **Article – Election Law**

14 3–101.

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

16 (b) The statewide voter registration list shall:

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

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

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

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

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

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

27 (c) The State Administrator shall:

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

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

1 (3) instruct the local boards on:

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

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

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

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

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

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

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

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

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

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

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

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

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

6 SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

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

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

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

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

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

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

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