

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 253 (Delegate McDonough)
Ways and Means

Election Law - Voter Registration - Interstate Crosscheck Program

This bill requires the State Board of Elections (SBE) to execute a memorandum of agreement to participate in the Interstate Crosscheck Program and utilize data obtained through participation in the program to (1) remove ineligible individuals from the voter registration list in accordance with the applicable laws and regulations and (2) refer suspected instances of individuals who voted more than once in the same election to the appropriate prosecuting authority.

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: The bill is not expected to materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law:

Statewide Voter Registration List

The statewide voter registration list is the official voter registration list for the State. The list must contain the name and other information for every legally registered voter in the State; allow each local board to obtain immediate electronic access to the information

contained in the list; be coordinated with other agency databases in the State; be used to produce precinct registers for use in polling places on election day; and include voter history information on a current basis for a period covering at least the five preceding years.

The State Administrator must define, maintain, and administer the statewide voter registration list and, with the local boards of elections, ensure the currency and accuracy of each individual voter's registration record. The State Administrator must also instruct the local boards on processing voter registration applications and name and address changes; entering voter registration information into the statewide voter registration list; and removing information about voters who are no longer eligible to be registered voters. In addition, the State Administrator must, subject to relevant federal law and to SBE regulations, establish and conduct a program to identify voters who have changed their addresses.

Agreements with Other States

Pursuant to Chapters 288 and 289 of 2011, SBE is authorized to enter into agreements with other states to exchange any data that the State Administrator of Elections determines is relevant to maintaining accurate voter registration lists.

Background: SBE currently participates in the Electronic Registration Information Center (ERIC), a partnership of 11 states and the District of Columbia formed in 2012 with the assistance of the Pew Charitable Trusts. ERIC “uses advanced technology to compare information on eligible voters from official data submitted by member states, such as voter registration rolls and motor vehicle records, as well as U.S. Postal Service addresses and Social Security death records.” Information identifying voters whose records may no longer be up to date is forwarded to the participating states to process in accordance with the state's voter registration list maintenance procedures.

The federal Presidential Commission on Election Administration, established by executive order in 2013, endorsed the use of interstate exchanges of voter registration information to maintain accurate and up-to-date registration lists in its January 2014 report, discussing both the Interstate Voter Registration Crosscheck Program (IVRC) and ERIC. The report indicated that 29 states had joined IVRC, in which participating states' voting data is exchanged and compared after federal elections to determine whether voters voted in different states in the same election, with the matched records then forwarded to the participating states.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections, Maryland Department of Transportation, Presidential Commission on Election Administration, Electronic Registration Information Center, Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2015
md/hlb

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510