

HOUSE BILL 1244

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By: **Delegate Cox**

Introduced and read first time: February 7, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration List Maintenance – Reporting**
3 **(Voter Registration Security Act)**

4 FOR the purpose of requiring each local board of elections to report certain information to
5 the State Board of Elections on or before a certain date each year regarding certain
6 voters who are placed into inactive status and certain voters who are removed from
7 the statewide voter registration list; requiring the State Board to compile and
8 summarize the data reported by the local boards in a report and publish the report
9 on the State Board’s website on or before a certain date each year; prohibiting any
10 information that allows an individual voter to be identified from being disclosed
11 under this Act; and generally relating to reporting of information regarding
12 maintenance of the statewide voter registration list.

13 BY repealing and reenacting, without amendments,
14 Article – Election Law
15 Section 3–501, 3–502, and 3–503
16 Annotated Code of Maryland
17 (2017 Replacement Volume and 2019 Supplement)

18 BY adding to
19 Article – Election Law
20 Section 3–507
21 Annotated Code of Maryland
22 (2017 Replacement Volume and 2019 Supplement)

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

25 **Article – Election Law**

26 3–501.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 An election director may remove a voter from the statewide voter registration list
2 only:

3 (1) at the request of the voter, provided the request is:

4 (i) signed by the voter;

5 (ii) authenticated by the election director; and

6 (iii) in a format acceptable to the State Board or on a cancellation
7 notice provided by the voter on a voter registration application;

8 (2) upon determining, based on information provided pursuant to § 3-504
9 of this subtitle, that the voter is no longer eligible because:

10 (i) the voter is not qualified to be a registered voter as provided in §
11 3-102(b) of this title; or

12 (ii) the voter is deceased;

13 (3) if the voter has moved outside the State, as determined by conducting
14 the procedures established in § 3-502 of this subtitle; or

15 (4) if, in accordance with the administrative complaint process under §
16 3-602 of this title, the State Administrator or the State Administrator's designee has
17 determined that the voter is not qualified to be registered to vote.

18 3-502.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) "Confirmation notice" means a notice, approved by the State Board,
21 that is sent by forwardable mail with a return card.

22 (3) "Return card" means a postage prepaid and preaddressed card on which
23 the voter may report the voter's current address.

24 (b) Upon receiving any information that a voter currently registered in the State
25 has moved to a different address within the State, the appropriate election official shall
26 change the voter's record and send the voter a confirmation notice.

27 (c) If it appears from information provided by the postal service or an agency
28 specified in § 3-504(b) of this subtitle that a voter has moved to a different address outside
29 the State, the election official in the county where the voter most recently resided in the
30 State shall send the voter a confirmation notice informing the voter of his or her potential
31 inactive status as described in § 3-503 of this subtitle.

1 (d) Upon receipt of a return card, the election director shall:

2 (1) make any needed corrections in the statewide voter registration list;
3 and

4 (2) in accordance with State Board guidelines, retain original voter
5 registration documents.

6 (e) The election director may not remove a voter from the statewide voter
7 registration list on the grounds of a change of address unless:

8 (1) the voter confirms in writing that the voter has changed residence to a
9 location outside the State; or

10 (2) (i) the voter has failed to respond to a confirmation notice under
11 subsection (c) of this section; and

12 (ii) the voter has not voted or appeared to vote (and, if necessary,
13 corrected the record of the voter's address) in an election during the period beginning with
14 the date of the notice through the next two general elections.

15 3-503.

16 (a) If a voter fails to respond to a confirmation notice under § 3-502(c) of this
17 subtitle, the voter's name shall be placed into inactive status on the statewide voter
18 registration list.

19 (b) A voter shall be restored to active status on the statewide voter registration
20 list after completing and signing any of the following election documents:

21 (1) a voter registration application;

22 (2) a petition governed by Title 6 of this article;

23 (3) a certificate of candidacy;

24 (4) an absentee ballot application; or

25 (5) a written affirmation of residence completed on election day to entitle
26 the voter to vote either at the election district or precinct for the voter's current residence
27 or the voter's previous residence, as determined by the State Board.

28 (c) An inactive voter who fails to vote in an election in the period ending with the
29 second general election shall be removed from the statewide voter registration list.

30 (d) Registrants placed into inactive status may not be counted for official

1 administrative purposes including establishing precincts and reporting official statistics.

2 **3-507.**

3 **(A) ON OR BEFORE JANUARY 15 EACH YEAR, EACH LOCAL BOARD SHALL**
4 **REPORT THE FOLLOWING INFORMATION TO THE STATE BOARD, IN THE FORMAT THE**
5 **STATE BOARD REQUIRES:**

6 **(1) THE TOTAL NUMBER OF VOTERS IN THE COUNTY PLACED INTO**
7 **INACTIVE STATUS ON THE STATEWIDE VOTER REGISTRATION LIST UNDER § 3-503(A)**
8 **OF THIS SUBTITLE;**

9 **(2) THE TOTAL NUMBER OF INACTIVE VOTERS IN THE COUNTY**
10 **REMOVED FROM THE STATEWIDE VOTER REGISTRATION LIST UNDER § 3-503(C) OF**
11 **THIS SUBTITLE; AND**

12 **(3) A DISAGGREGATION OF EACH OF THE NUMBERS REPORTED**
13 **UNDER ITEMS (1) AND (2) OF THIS SUBSECTION BY THE VOTERS' POLITICAL PARTY**
14 **AFFILIATION OR NONAFFILIATION.**

15 **(B) ON OR BEFORE FEBRUARY 1 EACH YEAR, THE STATE BOARD SHALL**
16 **COMPILE AND SUMMARIZE THE DATA REPORTED BY THE LOCAL BOARDS UNDER**
17 **SUBSECTION (A) OF THIS SECTION IN A REPORT AND PUBLISH THE REPORT ON THE**
18 **STATE BOARD'S WEBSITE.**

19 **(C) ANY INFORMATION THAT ALLOWS AN INDIVIDUAL VOTER TO BE**
20 **IDENTIFIED MAY NOT BE DISCLOSED UNDER THIS SECTION.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
22 1, 2020.