

# HOUSE BILL 1140

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By: **Delegate Arentz**

Introduced and read first time: February 5, 2021

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration List – Right to Nondisclosure of Personal**  
3 **Information**

4 FOR the purpose of requiring the State Board of Elections to establish, by regulation, a  
5 process by which an individual may opt out of disclosure of personal information in  
6 the individual's voter registration record to any person other than an employee or a  
7 vendor of the State Board or a local board; prohibiting personal information in an  
8 individual's voter registration record from being disclosed under certain provisions  
9 of law if the individual has opted out of disclosure; making a conforming change; and  
10 generally relating to the statewide voter registration list.

11 BY repealing and reenacting, with amendments,  
12 Article – Election Law  
13 Section 3–101(e) and 3–506  
14 Annotated Code of Maryland  
15 (2017 Replacement Volume and 2020 Supplement)

16 BY adding to  
17 Article – Election Law  
18 Section 3–101.1  
19 Annotated Code of Maryland  
20 (2017 Replacement Volume and 2020 Supplement)

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

23 **Article – Election Law**

24 3–101.

25 (e) (1) A State agency shall provide any data to the State Board that the State

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Administrator determines is necessary to maintain an accurate statewide voter  
2 registration list.

3 (2) Subject to paragraph (3) of this subsection, the State Board may not  
4 disclose data provided under paragraph (1) of this subsection except as provided in Title 4  
5 of the General Provisions Article.

6 (3) (i) The State Board may enter into agreements with other states to  
7 exchange any data that the State Administrator determines is relevant to maintaining  
8 accurate voter registration lists.

9 (ii) **[The] SUBJECT TO § 3-101.1 OF THIS SUBTITLE, THE** State  
10 Board may exchange data that is not subject to public disclosure under Title 4 of the  
11 General Provisions Article with other persons as the State Administrator determines is  
12 necessary for the sole purpose of maintaining accurate voter registration lists.

13 (iii) A person who receives data that is not subject to public disclosure  
14 under Title 4 of the General Provisions Article under this paragraph may not use or  
15 redisclose that data except for the purpose of maintaining accurate voter registration lists.

16 **3-101.1.**

17 **THE STATE BOARD SHALL, BY REGULATION, ESTABLISH A PROCESS BY WHICH**  
18 **AN INDIVIDUAL MAY OPT OUT OF THE DISCLOSURE OF THE FOLLOWING**  
19 **INFORMATION IN THE INDIVIDUAL'S VOTER REGISTRATION RECORD TO ANY PERSON**  
20 **OTHER THAN AN EMPLOYEE OR A VENDOR OF THE STATE BOARD OR A LOCAL**  
21 **BOARD:**

22 (1) **NAME;**

23 (2) **ADDRESS;**

24 (3) **PARTY AFFILIATION;**

25 (4) **VOTING HISTORY; AND**

26 (5) **ANY OTHER PERSONAL INFORMATION.**

27 **3-506.**

28 (a) (1) A copy of a list of registered voters shall be provided to a Maryland  
29 registered voter on receipt of:

30 (i) a written application; and

1 (ii) a statement, signed under oath, that the list is not intended to be  
2 used for:

- 3 1. commercial solicitation; or  
4 2. any other purpose not related to the electoral process.

5 (2) In consultation with the local boards, the State Board shall adopt  
6 regulations that specify:

7 (i) the time for a list to be provided under this subsection;

8 (ii) the authorization to be required for providing a list;

9 (iii) the fee to be paid for providing a list;

10 (iv) the information to be included on a list;

11 (v) that the residence address of an individual who is a participant  
12 in an address confidentiality program may not be disclosed;

13 (vi) that a participant in an address confidentiality program is not  
14 required to apply to the State Board to keep the individual's residence address confidential;

15 (vii) the format of the information; and

16 (viii) the medium or media on which the information is to be provided.

17 **(3) THE PERSONAL INFORMATION IN AN INDIVIDUAL'S VOTER**  
18 **REGISTRATION RECORD MAY NOT BE DISCLOSED TO ANY PERSON UNDER THIS**  
19 **SECTION IF THE INDIVIDUAL HAS OPTED OUT OF DISCLOSURE UNDER § 3-101.1 OF**  
20 **THIS TITLE.**

21 (b) (1) The State Administrator or a designee shall provide a copy of the  
22 statewide voter registration list and voter registration records to a jury commissioner on  
23 request and without charge by means agreed to with the Administrative Office of the  
24 Courts.

25 (2) On application of the Attorney General, a circuit court may compel  
26 compliance with paragraph (1) of this subsection.

27 (c) A person who knowingly allows a list of registered voters, under the person's  
28 control, to be used for any purpose not related to the electoral process is guilty of a  
29 misdemeanor and, on conviction, is subject to the penalties under Title 16 of this article.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2021.