

SENATE BILL 888

G1

3lr1944

By: **Senator M. Washington**

Introduced and read first time: February 13, 2023

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Automatic Voter Registration – Alterations**

3 FOR the purpose of altering automatic voter registration procedures at the Motor Vehicle
4 Administration and the Maryland Health Benefit Exchange; requiring the voter
5 registration information of certain applicants at the Administration and the
6 Exchange to be transmitted to the State Board of Elections under certain
7 circumstances; requiring the State Board to process the voter registration
8 information of certain applicants at the Administration and the Exchange who are
9 currently registered to vote in a certain manner and send a certain notice to each
10 applicant; requiring the State Board to process the voter registration information of
11 certain applicants at the Administration and the Exchange who are not currently
12 registered to vote in a certain manner and send a certain notice to each applicant;
13 authorizing the State Board to implement certain automatic voter registration
14 procedures at certain agencies with the consent of the agencies; providing that
15 certain automatic voter registration procedures do not apply to participants in
16 certain confidentiality programs; and generally relating to automatic voter
17 registration.

18 BY renumbering

19 Article – Election Law

20 Section 3–203(c) through (j)

21 to be Section 3–203(d) through (k), respectively

22 Annotated Code of Maryland

23 (2022 Replacement Volume and 2022 Supplement)

24 BY repealing and reenacting, without amendments,

25 Article – Election Law

26 Section 3–203(a)(1), (2)(i)1. and 2. and (ii), (3)(i) and (ii), and (4)

27 Annotated Code of Maryland

28 (2022 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Election Law
3 Section 3–203(b) and 3–203.1
4 Annotated Code of Maryland
5 (2022 Replacement Volume and 2022 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Election Law
8 Section 3–203(b), 3–303, and 3–503
9 Annotated Code of Maryland
10 (2022 Replacement Volume and 2022 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That Section(s) 3–203(c) through (j) of Article – Election Law of the Annotated Code of
13 Maryland be renumbered to be Section(s) 3–203(d) through (k), respectively.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
15 as follows:

16 **Article – Election Law**

17 3–203.

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

19 (2) (i) “Applicable transaction” means:

20 1. at the Motor Vehicle Administration, an initial application
21 for or renewal of a driver’s license or identification card, or a change of name or address on
22 an existing driver’s license or identification card, or any other transaction in which the
23 Motor Vehicle Administration obtains all of the information from an applicant that satisfies
24 the requirements to register to vote;

25 2. at the Maryland Health Benefit Exchange, any application
26 for or renewal of health insurance coverage;

27 (ii) “Applicable transaction” includes any transaction described in
28 subparagraph (i) of this paragraph that is completed online.

29 (3) “Automatic voter registration agency” means:

30 (i) the Motor Vehicle Administration;

31 (ii) the Maryland Health Benefit Exchange;

32 (4) “Automatic voter registration system” means a system that, as an
33 integral part of each applicable transaction at an automatic voter registration agency:

1 (i) informs an applicant:

2 1. that the applicant shall be registered to vote or shall have
3 a voter registration record updated, if applicable, unless the applicant declines to register
4 to vote or update a voter registration record or if the applicant is not eligible to register to
5 vote;

6 2. of the qualifications to register to vote under § 3-102 of
7 this title;

8 3. that the applicant should not register if the applicant does
9 not meet all the qualifications;

10 4. of the penalties for the submission of a false application;
11 and

12 5. that voter registration is voluntary and that neither
13 registering nor declining to register to vote will in any way affect the availability of services
14 or benefits;

15 (ii) requires the electronic signature of the applicant, subject to the
16 penalties for perjury, by which the applicant attests that the information provided by the
17 applicant is true and that the applicant meets all the qualifications to become a registered
18 voter, including United States citizenship; and

19 (iii) electronically transmits the voter registration information of
20 each applicant who does not decline to register to vote or update a voter registration record
21 directly to the State Board:

22 1. in a manner and format specified jointly by the automatic
23 voter registration agency and the State Board; and

24 2. within 5 days of the applicable transaction.

25 **(B) (1) WITH RESPECT TO APPLICABLE TRANSACTIONS AT THE MOTOR**
26 **VEHICLE ADMINISTRATION, THIS SECTION APPLIES ONLY IF THE INDIVIDUAL**
27 **MEETS THE CRITERIA DESCRIBED IN § 3-203.1(D)(4) OF THIS SUBTITLE.**

28 **(2) WITH RESPECT TO APPLICABLE TRANSACTIONS AT THE**
29 **MARYLAND HEALTH BENEFIT EXCHANGE, THIS SECTION APPLIES ONLY IF THE**
30 **INDIVIDUAL MEETS THE CRITERIA DESCRIBED IN § 3-203.1(G)(3) OF THIS SUBTITLE.**

31 **[(b)] (C) (1)** Except as provided in paragraph (2) of this subsection, an
32 automatic voter registration agency shall implement an automatic voter registration
33 system on or before July 1, 2019.

1 (2) A local department of social services shall implement an automatic
2 voter registration system on or before December 1, 2019.

3 **3-203.1.**

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

6 (2) "ADMINISTRATION" MEANS THE MOTOR VEHICLE
7 ADMINISTRATION.

8 (3) (I) "APPLICABLE TRANSACTION" MEANS:

9 1. AT THE MOTOR VEHICLE ADMINISTRATION, AN
10 INITIAL APPLICATION FOR OR RENEWAL OF A DRIVER'S LICENSE OR
11 IDENTIFICATION CARD, OR A CHANGE OF NAME OR ADDRESS ON AN EXISTING
12 DRIVER'S LICENSE OR IDENTIFICATION CARD, OR ANY OTHER TRANSACTION IN
13 WHICH THE ADMINISTRATION OBTAINS ALL OF THE INFORMATION FROM AN
14 APPLICANT THAT SATISFIES THE REQUIREMENTS TO REGISTER TO VOTE; OR

15 2. AT THE EXCHANGE, ANY APPLICATION FOR OR
16 RENEWAL OF HEALTH INSURANCE COVERAGE.

17 (II) "APPLICABLE TRANSACTION" INCLUDES ANY
18 TRANSACTION DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT IS
19 COMPLETED ONLINE.

20 (4) "EXCHANGE" MEANS THE MARYLAND HEALTH BENEFIT
21 EXCHANGE.

22 (B) THE ADMINISTRATION SHALL MAINTAIN AN ELECTRONIC
23 INFORMATION SYSTEM THAT ALLOWS THE ADMINISTRATION TO DETERMINE, AT
24 THE TIME THAT AN APPLICANT SUBMITS INFORMATION TO THE ADMINISTRATION IN
25 AN APPLICABLE TRANSACTION, WHETHER THE APPLICANT IS CURRENTLY
26 REGISTERED TO VOTE IN THE STATE.

27 (C) THE ADMINISTRATION SHALL CATEGORIZE EACH TYPE OF DOCUMENT
28 ACCEPTED AS PROOF OF IDENTITY BY THE ADMINISTRATION FOR AN APPLICABLE
29 TRANSACTION AS A DOCUMENT THAT:

30 (1) DEMONSTRATES THAT THE APPLICANT IS A UNITED STATES
31 CITIZEN;

1 **(2) DEMONSTRATES THAT THE APPLICANT IS NOT A UNITED STATES**
2 **CITIZEN AT THE TIME OF THE APPLICABLE TRANSACTION; OR**

3 **(3) DOES NOT DEMONSTRATE WHETHER OR NOT THE APPLICANT IS A**
4 **UNITED STATES CITIZEN AT THE TIME OF THE APPLICABLE TRANSACTION.**

5 **(D) (1) THE ADMINISTRATION MAY NOT OFFER A VOTER REGISTRATION**
6 **OPPORTUNITY TO AN APPLICANT, AND MAY NOT TRANSMIT ANY VOTER**
7 **REGISTRATION INFORMATION ABOUT AN APPLICANT TO THE STATE BOARD, IF THE**
8 **APPLICANT DURING AN APPLICABLE TRANSACTION PRESENTS A DOCUMENT THAT**
9 **DEMONSTRATES THAT THE APPLICANT IS NOT A UNITED STATES CITIZEN AT THE**
10 **TIME OF THE APPLICABLE TRANSACTION.**

11 **(2) THE ADMINISTRATION SHALL ELECTRONICALLY TRANSMIT THE**
12 **VOTER REGISTRATION INFORMATION OF AN INDIVIDUAL DIRECTLY TO THE STATE**
13 **BOARD IF THE APPLICANT FOR AN APPLICABLE TRANSACTION IS CURRENTLY**
14 **REGISTERED TO VOTE IN THE STATE.**

15 **(3) THE ADMINISTRATION SHALL ELECTRONICALLY TRANSMIT THE**
16 **VOTER REGISTRATION INFORMATION OF AN APPLICANT FOR AN APPLICABLE**
17 **TRANSACTION DIRECTLY TO THE STATE BOARD IF:**

18 **(I) THE APPLICANT IS NOT CURRENTLY REGISTERED TO VOTE**
19 **IN THE STATE;**

20 **(II) THE APPLICANT PRESENTS A DOCUMENT DEMONSTRATING**
21 **THAT THE APPLICANT IS A UNITED STATES CITIZEN; AND**

22 **(III) THE APPLICANT PROVIDES INFORMATION, AS PART OF THE**
23 **APPLICABLE TRANSACTION, DEMONSTRATING THAT THE APPLICANT IS AT LEAST 16**
24 **YEARS OLD AND IS A RESIDENT OF THE STATE AS OF THE DATE OF THE APPLICABLE**
25 **TRANSACTION.**

26 **(4) THE ADMINISTRATION SHALL OFFER AN APPLICANT FOR AN**
27 **APPLICABLE TRANSACTION A VOTER REGISTRATION OPPORTUNITY THROUGH AN**
28 **AUTOMATIC VOTER REGISTRATION SYSTEM IN ACCORDANCE WITH § 3-203 OF THIS**
29 **SUBTITLE IF THE APPLICANT:**

30 **(I) IS NOT CURRENTLY REGISTERED TO VOTE IN THE STATE;**
31 **AND**

32 **(II) PRESENTS ONLY DOCUMENTS THAT DO NOT DEMONSTRATE**
33 **WHETHER THE APPLICANT IS A UNITED STATES CITIZEN AT THE TIME OF THE**

1 APPLICABLE TRANSACTION, OR THE APPLICANT DOES NOT PRESENT ANY
2 DOCUMENT AT THE TIME OF THE APPLICABLE TRANSACTION.

3 (E) (1) IF THE VOTER REGISTRATION INFORMATION RECEIVED BY THE
4 STATE BOARD UNDER SUBSECTION (D)(2) OF THIS SECTION FOR AN APPLICANT
5 WHO IS CURRENTLY REGISTERED TO VOTE IN THE STATE:

6 (I) INDICATES THAT THE APPLICANT HAS NOT CHANGED THE
7 APPLICANT'S RESIDENTIAL ADDRESS, MAILING ADDRESS, OR NAME, THE STATE
8 BOARD SHALL:

9 1. CAUSE THE DATE OF THE UPDATE TO BE RECORDED
10 IN THE STATEWIDE VOTER REGISTRATION LIST; AND

11 2. IF THE APPLICANT IS IN INACTIVE VOTER STATUS,
12 CAUSE THE APPLICANT TO BE RESTORED TO ACTIVE VOTER STATUS AS PROVIDED IN
13 § 3-503 OF THIS TITLE; OR

14 (II) INDICATES THAT THE APPLICANT HAS CHANGED THE
15 APPLICANT'S RESIDENTIAL ADDRESS, MAILING ADDRESS, OR NAME, THE STATE
16 BOARD SHALL:

17 1. CAUSE THE STATEWIDE VOTER REGISTRATION LIST
18 TO BE UPDATED;

19 2. IF THE APPLICANT IS IN INACTIVE VOTER STATUS,
20 CAUSE THE APPLICANT TO BE RESTORED TO ACTIVE VOTER STATUS AS PROVIDED IN
21 § 3-503 OF THIS TITLE;

22 3. WITHIN 5 DAYS AFTER THE RECEIPT OF THE VOTER
23 REGISTRATION INFORMATION FROM THE ADMINISTRATION, CAUSE AN AUTOMATIC
24 VOTER REGISTRATION UPDATE NOTICE TO BE SENT BY NONFORWARDABLE MAIL TO
25 THE APPLICANT; AND

26 4. IF THE APPLICANT AFFIRMATIVELY CORRECTS THE
27 UPDATE IN WRITING, CAUSE THE INDIVIDUAL'S INFORMATION TO BE MODIFIED
28 APPROPRIATELY IN THE STATEWIDE VOTER REGISTRATION LIST.

29 (2) THE STATE BOARD MAY ASSIGN RESPONSIBILITY FOR
30 PERFORMING SOME OR ALL OF THE PROCEDURES DESCRIBED IN PARAGRAPH (1) OF
31 THIS SUBSECTION TO THE LOCAL BOARDS.

1 **(3) THE STATE BOARD SHALL PROVIDE AN ELECTRONIC MEANS BY**
2 **WHICH AN APPLICANT MAY CORRECT A VOTER REGISTRATION UPDATE UNDER**
3 **PARAGRAPH (1)(II) OF THIS SUBSECTION.**

4 **(4) AN AUTOMATIC VOTER REGISTRATION UPDATE NOTICE MAY BE**
5 **COMBINED WITH A VOTER ACKNOWLEDGMENT NOTICE OR VOTER NOTIFICATION**
6 **CARD DESCRIBED IN § 3-301(C) OF THIS TITLE, SHALL BE IN A FORMAT PRESCRIBED**
7 **BY THE STATE BOARD, AND SHALL:**

8 **(I) INCLUDE A STATEMENT EXPLAINING THAT THE**
9 **APPLICANT'S VOTER REGISTRATION HAS BEEN UPDATED, AND STATING THAT IF THE**
10 **UPDATE WAS IN ERROR, THE APPLICANT SHOULD AFFIRMATIVELY CORRECT THE**
11 **UPDATE;**

12 **(II) ALLOW THE APPLICANT TO CORRECT THE UPDATE BY**
13 **MAKING AN APPROPRIATE NOTATION AND RETURNING THE NOTICE POSTAGE**
14 **PREPAID; AND**

15 **(III) INCLUDE INSTRUCTIONS REGARDING HOW THE APPLICANT**
16 **MAY:**

17 **1. CORRECT THE UPDATE ELECTRONICALLY; AND**

18 **2. OBTAIN MORE INFORMATION ABOUT THE NOTICE.**

19 **(F) (1) WHEN THE STATE BOARD RECEIVES AN APPLICANT'S VOTER**
20 **REGISTRATION INFORMATION UNDER SUBSECTION (D)(3) OF THIS SECTION AND NO**
21 **OTHER INFORMATION INDICATES THAT THE APPLICANT IS NOT QUALIFIED TO**
22 **BECOME A REGISTERED VOTER, THE STATE BOARD SHALL:**

23 **(I) WITHIN 5 DAYS AFTER THE RECEIPT OF THE APPLICANT'S**
24 **VOTER REGISTRATION INFORMATION, CAUSE AN AUTOMATIC VOTER REGISTRATION**
25 **NOTICE TO BE SENT BY NONFORWARDABLE MAIL TO THE APPLICANT; AND**

26 **(II) 1. IF THE APPLICANT DOES NOT AFFIRMATIVELY**
27 **DECLINE TO BE REGISTERED TO VOTE WITHIN 21 DAYS AFTER THE MAILING OF THE**
28 **AUTOMATIC VOTER REGISTRATION NOTICE, CAUSE THE APPLICANT TO BE LISTED IN**
29 **ACTIVE VOTER STATUS IN THE STATEWIDE VOTER REGISTRATION LIST; OR**

30 **2. IF THE APPLICANT AFFIRMATIVELY DECLINES TO BE**
31 **REGISTERED TO VOTE, CAUSE THE APPLICANT'S INFORMATION TO BE CANCELED**
32 **FROM THE STATEWIDE VOTER REGISTRATION LIST.**

1 **(2) THE STATE BOARD MAY ASSIGN RESPONSIBILITY FOR**
2 **PERFORMING SOME OR ALL OF THE PROCEDURES DESCRIBED IN PARAGRAPH (1) OF**
3 **THIS SUBSECTION TO THE LOCAL BOARDS.**

4 **(3) THE STATE BOARD SHALL PROVIDE AN ELECTRONIC MEANS BY**
5 **WHICH AN APPLICANT MAY SELECT A POLITICAL PARTY AFFILIATION.**

6 **(4) AN AUTOMATIC VOTER REGISTRATION NOTICE MAY BE COMBINED**
7 **WITH A VOTER ACKNOWLEDGMENT NOTICE OR VOTER NOTIFICATION CARD**
8 **DESCRIBED IN § 3-301(C) OF THIS TITLE, SHALL BE IN A FORMAT PRESCRIBED BY**
9 **THE STATE BOARD, AND SHALL:**

10 **(I) INFORM THE APPLICANT:**

11 **1. THAT THE APPLICANT SHALL BE REGISTERED TO**
12 **VOTE UNLESS THE APPLICANT DECLINES TO REGISTER TO VOTE OR IF THE**
13 **APPLICANT IS NOT ELIGIBLE TO REGISTER TO VOTE;**

14 **2. OF THE QUALIFICATIONS TO REGISTER TO VOTE**
15 **UNDER § 3-102 OF THIS TITLE;**

16 **3. THAT THE APPLICANT SHOULD NOT REGISTER IF THE**
17 **APPLICANT DOES NOT MEET ALL THE QUALIFICATIONS FOR VOTER REGISTRATION;**

18 **4. OF THE PENALTIES FOR THE SUBMISSION OF A FALSE**
19 **APPLICATION;**

20 **5. THAT VOTER REGISTRATION IS VOLUNTARY AND THAT**
21 **NEITHER REGISTERING NOR DECLINING TO REGISTER TO VOTE WILL IN ANY WAY**
22 **AFFECT THE AVAILABILITY OF SERVICES OR BENEFITS; AND**

23 **6. THAT IF THE APPLICANT DOES NOT SELECT A**
24 **POLITICAL PARTY AFFILIATION, THE APPLICANT WILL BE DESIGNATED AS NOT**
25 **AFFILIATED WITH A POLITICAL PARTY AND WILL BE UNABLE TO VOTE IN A PARTY**
26 **PRIMARY ELECTION;**

27 **(II) ALLOW THE APPLICANT TO:**

28 **1. DECLINE TO BE REGISTERED TO VOTE BY MAKING AN**
29 **APPROPRIATE NOTATION AND RETURNING THE NOTICE POSTAGE PREPAID; AND**

30 **2. SELECT A POLITICAL PARTY AFFILIATION BY MAKING**
31 **AN APPROPRIATE NOTATION AND RETURNING THE NOTICE POSTAGE PREPAID; AND**

1 (III) INCLUDE INSTRUCTIONS REGARDING HOW THE APPLICANT
2 MAY:

3 1. SELECT A POLITICAL PARTY AFFILIATION
4 ELECTRONICALLY; AND

5 2. OBTAIN MORE INFORMATION ABOUT THE NOTICE.

6 (5) AN APPLICANT WHO IS SENT AN AUTOMATIC VOTER
7 REGISTRATION NOTICE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION:

8 (I) WHO DOES NOT AFFIRMATIVELY DECLINE TO BE
9 REGISTERED TO VOTE WITHIN 21 DAYS AFTER THE MAILING OF THE AUTOMATIC
10 VOTER REGISTRATION NOTICE SHALL BE DEEMED TO HAVE BEEN REGISTERED ON
11 THE DATE OF THE APPLICABLE TRANSACTION;

12 (II) WHO AFFIRMATIVELY DECLINES TO REGISTER TO VOTE
13 WITHIN 21 DAYS AFTER THE MAILING OF THE AUTOMATIC VOTER REGISTRATION
14 NOTICE SHALL BE DEEMED NEVER TO HAVE REGISTERED TO VOTE;

15 (III) WHOSE NAME DOES NOT APPEAR ON THE ELECTION
16 REGISTER MAY REGISTER TO VOTE DURING EARLY VOTING OR ON ELECTION DAY AS
17 PROVIDED IN § 3-305 OR § 3-306 OF THIS TITLE, OR MAY CAST A PROVISIONAL
18 BALLOT AS PROVIDED IN TITLE 9, SUBTITLE 4 OF THIS ARTICLE; AND

19 (IV) WHO CASTS A PROVISIONAL BALLOT SHALL BE DEEMED TO
20 BE REGISTERED TO VOTE FOR PURPOSES OF § 11-303(D)(4)(I) OF THIS ARTICLE IF
21 THE APPLICANT DID NOT AFFIRMATIVELY DECLINE TO BE REGISTERED TO VOTE
22 BEFORE THE DATE THE APPLICANT CAST A PROVISIONAL BALLOT.

23 (6) IF THE STATE BOARD OR A LOCAL BOARD, AFTER REVIEWING THE
24 VOTER REGISTRATION INFORMATION RECEIVED BY THE STATE BOARD UNDER
25 SUBSECTION (D)(3) OF THIS SECTION, DETERMINES THAT AN APPLICANT IS
26 CURRENTLY REGISTERED TO VOTE, THE STATE BOARD OR LOCAL BOARD SHALL
27 PROCESS THE VOTER REGISTRATION INFORMATION IN ACCORDANCE WITH
28 SUBSECTION (E) OF THIS SECTION.

29 (7) A DOCUMENT DEMONSTRATING THAT AN APPLICANT IS A UNITED
30 STATES CITIZEN PRESENTED DURING AN APPLICANT'S PREVIOUS TRANSACTION
31 WITH THE ADMINISTRATION AND RETAINED BY THE ADMINISTRATION UNDER 6
32 C.F.R. § 37.31 SATISFIES THE REQUIREMENT OF SUBSECTION (D)(3)(II) OF THIS
33 SECTION FOR A SUBSEQUENT APPLICABLE TRANSACTION AT THE ADMINISTRATION.

1 **(8) SOLELY FOR PURPOSES OF DETERMINING WHETHER AN**
2 **APPLICANT HAS MET THE REQUIREMENT OF SUBSECTION (D)(3)(II) OF THIS**
3 **SECTION, THE ADMINISTRATION MAY IMPLEMENT ADDITIONAL PROCEDURES TO**
4 **REVIEW COPIES OF DOCUMENTS DEMONSTRATING THAT THE APPLICANT IS A**
5 **UNITED STATES CITIZEN THAT WERE PRESENTED DURING AN APPLICANT'S**
6 **PREVIOUS TRANSACTION WITH THE ADMINISTRATION AND RETAINED BY THE**
7 **ADMINISTRATION UNDER 6 C.F.R. § 37.31.**

8 **(G) (1) THE EXCHANGE SHALL IDENTIFY EACH APPLICABLE**
9 **TRANSACTION AT THE EXCHANGE IN WHICH AN APPLICANT'S ATTESTATION OF**
10 **UNITED STATES CITIZENSHIP IS RELIABLY VERIFIED THROUGH AN ELECTRONIC**
11 **DATABASE MATCH AS PART OF THE ELIGIBILITY DETERMINATION PROCESS.**

12 **(2) THE EXCHANGE MAY NOT OFFER A VOTER REGISTRATION**
13 **OPPORTUNITY TO AN APPLICANT WHO ATTESTS THAT THE APPLICANT IS NOT A**
14 **UNITED STATES CITIZEN AT THE TIME OF THE APPLICABLE TRANSACTION.**

15 **(3) THE ADMINISTRATION SHALL OFFER AN APPLICANT FOR AN**
16 **APPLICABLE TRANSACTION A VOTER REGISTRATION OPPORTUNITY IN**
17 **ACCORDANCE WITH § 3-203 OF THIS SUBTITLE IF:**

18 **(I) THE APPLICANT'S ATTESTATION OF CITIZENSHIP IS NOT**
19 **RELIABLY VERIFIED THROUGH AN ELECTRONIC DATABASE MATCH; AND**

20 **(II) THE APPLICANT HAS NOT ATTESTED THAT THE APPLICANT**
21 **IS NOT A UNITED STATES CITIZEN.**

22 **(4) THE EXCHANGE SHALL ELECTRONICALLY TRANSMIT THE VOTER**
23 **REGISTRATION INFORMATION OF AN APPLICANT DIRECTLY TO THE STATE BOARD**
24 **IF:**

25 **(I) THE APPLICANT'S ATTESTATION OF CITIZENSHIP IS**
26 **RELIABLY VERIFIED THROUGH AN ELECTRONIC DATABASE MATCH AS PART OF THE**
27 **ELIGIBILITY DETERMINATION PROCESS; AND**

28 **(II) THE APPLICANT PROVIDES INFORMATION AS PART OF THE**
29 **APPLICABLE TRANSACTION DEMONSTRATING THAT THE APPLICANT IS AT LEAST 16**
30 **YEARS OLD AND IS A RESIDENT OF THE STATE AS OF THE DATE OF THE APPLICABLE**
31 **TRANSACTION.**

1 **(5) FOR EACH APPLICANT WHOSE VOTER REGISTRATION**
2 **INFORMATION IS TRANSMITTED TO THE STATE BOARD UNDER PARAGRAPH (4) OF**
3 **THIS SUBSECTION, THE STATE BOARD SHALL:**

4 **(I) DETERMINE WHETHER THE APPLICANT IS CURRENTLY**
5 **REGISTERED TO VOTE IN THE STATE; AND**

6 **(II) 1. IF THE APPLICANT IS REGISTERED TO VOTE IN THE**
7 **STATE, ADMINISTER THE AUTOMATIC VOTER REGISTRATION UPDATE PROCEDURE**
8 **IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION; OR**

9 **2. IF THE APPLICANT IS NOT REGISTERED TO VOTE IN**
10 **THE STATE, ADMINISTER THE AUTOMATIC VOTER REGISTRATION PROCESS IN**
11 **ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION.**

12 **(6) THE PROCEDURES FOR AUTOMATIC VOTER REGISTRATION AT**
13 **THE EXCHANGE UNDER THIS SUBSECTION:**

14 **(I) ARE SUBJECT TO FEDERAL LAWS AND REGULATIONS**
15 **GOVERNING APPLICABLE TRANSACTIONS AT THE EXCHANGE; AND**

16 **(II) MAY BE MODIFIED BY THE EXCHANGE AND THE STATE**
17 **BOARD WHEN NECESSARY TO COMPLY WITH FEDERAL LAWS AND REGULATIONS.**

18 **(H) THE STATE BOARD MAY:**

19 **(1) IDENTIFY ADDITIONAL STATE, FEDERAL, OR LOCAL AGENCIES**
20 **THAT, IN THE REGULAR COURSE OF BUSINESS, RELIABLY VERIFY APPLICANTS'**
21 **CITIZENSHIP BY VERIFYING DOCUMENTS OR THROUGH AN ELECTRONIC DATABASE**
22 **MATCH; AND**

23 **(2) WITH THE CONSENT OF THE AGENCY, IMPLEMENT THE**
24 **PROCEDURES FOR AUTOMATIC VOTER REGISTRATION IN ACCORDANCE WITH**
25 **SUBSECTION (F) OF THIS SECTION.**

26 **(I) THE STATE BOARD MAY:**

27 **(1) IDENTIFY ADDITIONAL STATE, FEDERAL, OR LOCAL AGENCIES**
28 **THAT, IN THE REGULAR COURSE OF BUSINESS, RELIABLY COLLECT SUFFICIENT**
29 **INFORMATION TO UPDATE THE VOTER REGISTRATION INFORMATION OF**
30 **APPLICANTS CURRENTLY REGISTERED TO VOTE IN THE STATE; AND**

1 **(2) WITH THE CONSENT OF THE AGENCY, IMPLEMENT THE**
2 **PROCEDURES FOR AUTOMATIC VOTER REGISTRATION UPDATES IN ACCORDANCE**
3 **WITH SUBSECTION (E) OF THIS SECTION.**

4 **(J) (1) THE PROCEDURES UNDER THIS SECTION MAY NOT APPLY TO AN**
5 **APPLICANT FOR AN APPLICABLE TRANSACTION WHO IS A PARTICIPANT IN THE**
6 **ADDRESS CONFIDENTIALITY PROGRAM UNDER TITLE 7, SUBTITLE 3 OF THE STATE**
7 **GOVERNMENT ARTICLE.**

8 **(2) THE ADMINISTRATION AND THE EXCHANGE SHALL IMPLEMENT**
9 **PROCEDURES THAT PREVENT THE TRANSMISSION OF VOTER REGISTRATION**
10 **INFORMATION CONCERNING A PARTICIPANT IN THE ADDRESS CONFIDENTIALITY**
11 **PROGRAM UNDER TITLE 7, SUBTITLE 3 OF THE STATE GOVERNMENT ARTICLE TO**
12 **THE STATE BOARD.**

13 **(3) THE STATE BOARD MAY EXCLUDE PARTICIPANTS IN THE**
14 **PERSONAL INFORMATION CONFIDENTIALITY PROGRAM UNDER COMAR**
15 **33.04.02.01 THROUGH 33.04.02.07 FROM THE AUTOMATIC VOTER REGISTRATION**
16 **UPDATE PROCEDURE UNDER SUBSECTION (E) OF THIS SECTION, OR MODIFY THE**
17 **PROCEDURE FOR PARTICIPANTS IN THE PROGRAM AS NECESSARY.**

18 3-303.

19 (a) Notification of a change of party affiliation or a change to or from a decline
20 may be made:

21 (1) by information provided on a voter registration application by the same
22 methods provided for registration under Subtitle 2 of this title;

23 (2) by written notice, signed by the voter and sent by mail or otherwise
24 delivered to the local board in the county where the voter's current voter registration
25 address is located or to which the voter has moved;

26 (3) by making application in person at the office of the local board in the
27 county where the voter's current voter registration address is located or to which the voter
28 has moved;

29 (4) by information on a voter authority card or other appropriate form filled
30 out in a polling place; or

31 (5) by changing a name or address with the Motor Vehicle Administration.

32 (b) Party affiliation changes or changes to or from a decline:

33 (1) shall be processed at any time that registration is open; and

1 (2) except as provided in subsection (c) of this section, may not be processed
2 when registration is closed.

3 (c) If a local board receives a request for a party affiliation change after the close
4 of registration, the local board shall make the change and it shall become effective for the
5 next election provided:

6 (1) there is sufficient evidence, as determined by the local boards pursuant
7 to regulations adopted by the State Board, that the request was mailed on or before the
8 close of registration for that election; [or]

9 (2) the request was submitted by the voter to the Motor Vehicle
10 Administration, a voter registration agency, another local board, or the State Board on or
11 before the close of registration for that election; **OR**

12 **(3) THE REQUEST WAS SUBMITTED BY A VOTER:**

13 **(I) WHOSE VOTER REGISTRATION INFORMATION WAS**
14 **TRANSMITTED TO THE STATE BOARD UNDER § 3-203.1(F) OF THIS TITLE;**

15 **(II) WHO HAS NOT AFFILIATED WITH A POLITICAL PARTY SINCE**
16 **THE TIME THE VOTER'S VOTER REGISTRATION INFORMATION WAS SENT TO THE**
17 **STATE BOARD UNDER § 3-203.1(F) OF THIS TITLE; AND**

18 **(III) WHO MAKES THE REQUEST BY ANY OF THE METHODS**
19 **PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.**

20 3-503.

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

24 (b) A voter shall be restored to active status on the statewide voter registration
25 list after:

26 **(1) completing and signing any of the following election documents:**

27 **[(1)] (I) a voter registration application;**

28 **[(2)] (II) a petition governed by Title 6 of this article;**

29 **[(3)] (III) a certificate of candidacy;**

1 [(4)] (IV) an absentee ballot application; or

2 [(5)] (V) a written affirmation of residence completed on election day to
3 entitle the voter to vote either at the election district or precinct for the voter's current
4 residence or the voter's previous residence, as determined by the State Board; OR

5 (2) COMPLETING AN APPLICABLE TRANSACTION AT THE MOTOR
6 VEHICLE ADMINISTRATION THAT RESULTS IN THE TRANSMISSION OF VOTER
7 REGISTRATION INFORMATION TO THE STATE BOARD UNDER § 3-203.1(E) OF THIS
8 TITLE.

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

11 (d) Registrants placed into inactive status may not be counted for official
12 administrative purposes including establishing precincts and reporting official statistics.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2023.