

SB831 – Favorable With Amendments

The Center for Secure and Modern Elections (CSME) is a national organization dedicated to advancing pro-voter policies at the state level that modernize the voting process and ensure that every American, whether they are Democrat, Republican, or Independent, can have their voice heard. The Center for Secure and Modern Elections pursues policies and reforms at the state level in order to ensure an election process that is more efficient, accurate and secure.

CSME advocates for proposals such as Automatic Voter Registration (AVR) that save valuable time for election officials and save money for state governments, while ensuring that as many voters as possible can participate in our great democracy. AVR systems automatically register eligible voters and update voter registration information when people apply for or renew their driver's license or change their address. AVR is a common sense improvement to our registration process that uses modern technology to protect the security of our elections, make government more efficient, and ensure every eligible voter has an opportunity to have their voice heard on Election Day. CSME works to ensure that as many states as possible adopt AVR and that the process is implemented in a manner that is most effective for voters and election officials.

Why Transition from front-end to back-end

Maryland should upgrade its existing AVR system to a back-end system. A back-end AVR system would maximize effectiveness and security for voter registration at the MVA, and allow for expansion of AVR to Medicaid and other state agencies. Here's how the system works:

- Maryland currently uses a front-end registration system at the MVA. During the MVA transaction, AVR customers are given the option to affirmatively decline to register to vote or update an existing registration. Front end systems often feature opt-out rates up to 50%, which may reflect customers unnecessarily declining registration because they incorrectly believe their registration is up to date, because they are in a rush to leave the MVA, because they are confused, or because they trust themselves to register or make the update later and then never do. By contrast, back-end systems see opt out rates up to 5% but as low as 1%.
- Back-end AVR stops leaks in the pipeline of new registrants and updates. Under this bill, an unregistered adult who provides proof of U.S. citizenship (such as a passport) during a MVA transaction will automatically have their information passed to the local board office. If the person is eligible, the election official will complete the registration and send a notice offering the chance to either decline registration or affiliate with a political party. The person can return this notice with postage prepaid. Under SB 831, Maryland would also allow new back-end AVR registrants to affiliate with a party at the polls on the day of a primary election.



- Back-end AVR is the most efficient, effective, and secure system for registering new voters and updating existing registrations at the MVA and other state agencies. Colorado, Nevada, Oregon, Alaska, and Massachusetts have all adopted a form of back-end AVR.
- Back-end AVR also streamlines registration updates. Any existing registrant who provides new name or address information to the MVA will automatically have their voter registration updated to reflect the change. People with updated registrations are mailed notice of the change and offered the opportunity to decline the update. This process obtains as much address and name data from the MVA as possible, ensuring clean and accurate voter rolls.
- The system would maintain an opt-in system for unregistered people who don't provide proof of U.S. citizenship during the license transaction. This system provides these people the opportunity to register to vote during the MVA transaction if they affirm citizenship and other eligibility requirements.
- To protect non-citizens, the back-end AVR system filters out MVA customers who provide documents establishing foreign citizenship (like a green card) or temporary visitors who apply for a temporary document. These MVA customers are not offered the chance to register and do not have any information passed to election officials. As an added failsafe, if an ineligible person does somehow become erroneously registered due to a computer error, the person's registration is deemed to have been officially authorized by the state, with no penalty to the individual. In addition, in the event of an error, the ineligible person has not made a false claim of citizenship, helping to protect them against the threat of immigration and criminal law consequences.
- A back-end AVR system can similarly be used for Medicaid, which already verifies citizenship after an application is submitted. Like with a MVA transaction, non-citizens would be automatically excluded from the process. And like with a MVA transaction, any verified and eligible U.S. citizen would be registered to vote and receive a postcard providing the opportunity to opt out of voter registration or affiliate with a political party. Because all members of a household apply for Medicaid on one application, only a back-end system allows every member of the household to become registered to vote.
- The State Board of Elections can extend the back-end AVR system beyond the MVA and Medicaid to other state agencies that verify U.S. citizenship during agency transactions. Options include public colleges and universities or other public benefit agencies. For state agencies that collect most voter information but not citizenship status—such as the Department of Revenue—information could be used to automatically update existing voters' records.

Benefits of Maryland Back-End Automatic Voter Registration





More Complete Registration Records: Back-end AVR registers more eligible voters. In Oregon's back-end AVR system, only five percent of unregistered eligible voters decline registration, while declination rates in Colorado are as low as one percent. Failure to register a large portion of citizens at the MVA and Medicaid misses a critical opportunity for enfranchisement.

Equity: Back-end AVR also ensures that the voter rolls reflect the state's citizenry. AVR registrants in Oregon are younger, less white, less educated, lower-income and more Hispanic than traditional registrants. Research indicates that people of color comprise up to 60 percent of some states' eligible unregistered population. Back-end AVR registers people left out by traditional methods. And only back-end AVR fits with the Medicaid application system, most effectively registering voters who do not drive or own a car.

More Accurate Registration Records: Back-end AVR also ensures accurate records for existing registrants. Accurate registration records are the backbone of an election system. Clean voter rolls ensure that voters are registered in the correct precinct and that election mail (including mail ballots) reaches the correct address, preventing costly undeliverable mail and reducing time spent updating information through paper forms and on Election Day. Back-end AVR ensures that any address or name information received by the MVA is automatically shared with election officials, saving election officials and voters time, effort and money.

Cost Savings: Back-end AVR can also reduce election administration costs. By processing more registrations at the MVA, back-end AVR replaces thousands of paper voter registration forms that voters would otherwise mail or submit to a voter registration drive. Processing paper forms is labor-intensive and expensive, requiring data entry and follow-up on missing information or errors. Similarly, by updating address information more efficiently, back-end AVR can also reduce undeliverable mail and provisional ballots, saving election officials additional money.

Use of Existing Infrastructure: Back-end AVR builds on Maryland's existing election systems, saving money and making implementation easier. MVA already electronically transmits information to election officials for registration purposes, and election officials already send new or updated registrants a notice confirming registration. Declination and party affiliation opportunities can simply be added to this notice, with no need for a new mailer.

We respectfully request that SB831 be amended to require an interim study on AVR, amendment language forthcoming.

