



Statement of Support: House Bill 1112 Ballot Petition Modernization Act

To: House Ways and Means Committee
From: Eric Blitz, Chair of Libertarian Party of Maryland

March 3, 2023

Chair Atterbeary, Vice-Chair Wilkins, Members of the Committee:

The Libertarian Party of Maryland supports passage of HB 1112, the Ballot Petition Modernization Act, which improves and clarifies the petitioning process under the Maryland Election Code.

There are many important improvements provided by this bill, but we wish to focus on one that has been tested, works, and is already ubiquitous in commerce and government: the acceptance of electronic signatures for the petition process.

In 2020 the State Board of Elections (SBE) authorized electronic signatures on petitions to mitigate the problem that during the shutdowns of the covid-19 pandemic, it was exceedingly difficult to petition with the interpersonal interactions that typified most petitioning that required a handwritten signature. That authorization was granted on a temporary basis, expiring in 2021.

In response, the Libertarian Party of Maryland and the Maryland Green Party established a web-portal that facilitated electronic signatures on their petitions to reestablish their official party recognition in Maryland. That effort was very successful in providing a secure site, with data protections and anti-fraud protections, to accept electronic signatures. This experience proved that the system could provide a verifiable and safe mechanism to accept electronic signatures on petitions in Maryland. Such petitions require the signers to be registered to vote in Maryland and the system facilitated the accurate representation of the voter's intent using double-checks against the Maryland voter registration database, thereby better ensuring that a registered voter's intent in signing the petition was validated and counted.

Citizens, including Maryland voters, expect the ease and convenience of online electronic communications for tasks that in the past, required personal interactions or handwritten signatures. We can pay and file our taxes online, apply for permits/licenses and license renewals online, file official documents associated with the Maryland Securities Act online, lawyers file their pleadings online, employers make payroll reports online, businesses can make sales and use tax reports online, documents can be filed with

Libertarian Party of Maryland
P.O. Box 176, Abingdon, Maryland 20009-0176
1-800-MLP-1776
By Authority: Robert S. Johnston, III, Treasurer

land records online, all using electronic signatures. Allowing electronic signatures for the petition process follows the modern approach of many state agencies in Maryland.

The SBE allows Marylanders to register to vote online, change their voter registration information (e.g. address, party affiliation, etc.) online, and request a mail-in ballot online, all through the use of electronic signatures to serve as the confirmation of the voter's consent or intention. The SBE requires the official campaign finance reports to be filed online, again through the acceptance of electronic signatures by the responsible officers.

We have entire legislative acts to facilitate and validate electronic signatures and filings, such as the Maryland Uniform Electronic Transactions Act (Md. Code Ann. Comm. Law §21-101 et. seq.) and nationally, the Electronic Signatures in Global and National Commerce Act (15 U.S.C 7001). Every state agency, including the SBE, has the authority to accept electronic signatures under Md. Code Ann. Comm. Law §21-117. Under the Maryland Act, an electronic signature is treated exactly the same as a handwritten signature in all contexts in which the parties agree to use them or for state agencies, the agency decides to accept them.

The acceptance of electronic signatures in the modern world to signify consent is ubiquitous and apply to many of the most important and consequential legal acts we undertake. The trend towards broader use and acceptance of electronic signatures will no doubt continue. Younger people expect the availability of online interactions, many of which use electronic signatures. In this context, it is simply anachronistic to require a voter signing a petition be required to do so only using a handwritten signature, especially when the SBE allows electronic signatures in many more important contexts.

Finally, because the use of electronic forms with electronic signatures produces data using clear computer fonts, the work of the SBE in reviewing and validating petition signatures should be made substantially more efficient and less-time consuming. The clarity of petition forms that aren't using a diverse handwritings, corrections, smudges, and all the other elements of handwritten petitions should make the job of the local boards substantially easier.

On behalf of the Libertarian Party of Maryland, I ask for a favorable report from the committee on HB 1112.

Sincerely,

/s/

Eric Blitz, Chair
Libertarian Party of Maryland