



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

SPONSOR TESTIMONY IN SUPPORT OF HB1112
(ELECTION LAW - REGISTERED VOTER LIST SECURITY AND ELECTRONIC SIGNATURE
REQUIREMENTS FOR PETITIONS)

Delegate Sheila Ruth
March 3, 2023

Ballot petitions are one of the fundamental ways that citizens can participate in the democratic process. Citizens of Maryland can use petitions to collect signatures in order to place a local charter amendment, party, or independent candidate on the ballot. Collecting these signatures works pretty much like it always has: circulators carry paper forms that voters must fill out to sign the petition and the circulator must then sign an affidavit at the bottom of the completed signature page.

The rules for collection are arcane and strict, and minor mistakes can invalidate a voter's signature. For example, the voter's name must either be written in full as it appears on their voter registration or the voter must include their surname as it appears on the registration, along with at least one full given name and the initials of any other names. **Failure to meet these name requirements exactly results in the invalidation of the signature and the voter essentially disenfranchised.**

How must the signer print his/her name before it will be counted?

The name either has to match the registration list or include all parts of the name required in the statute. Section 6-203 of the Election Law Article states "To sign a petition, an individual shall:

(1) sign the individual's name as it appears on the statewide voter registration list or the

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individual's surname of registration and at least one full given name and the initials of any other names."

For example, if a voter is registered as Margaret Hall Smith, it is permissible for her to sign as Margaret H. Smith or M. Hall Smith. But M.H. Smith or Margaret Smith is not permissible and will be invalidated. Additionally, the use of her nickname, Peggy Smith or her married name Mrs. John Smith will be invalidated. If a voters' registered name has a suffix (i.e. Jr., Sr., III, etc.) the signature will not be invalidated if the signer fails to include it on the petition.

There are other many reasons why a signature might be invalidated, and such errors are so common that petitioners are generally advised by the Board of Elections to turn in at least *15,000* signatures in order to meet the requirement of only 10,000.

Some voters are also disenfranchised by the requirement that signatures be collected physically on paper. People with disabilities, who work long hours or are otherwise away from home for extended periods, and residents of care facilities may find it difficult or even impossible to exercise their democratic right to sign a ballot petition. Voters should be able to sign these petitions electronically.

Electronic signatures are legal and used widely in other areas. For example, in 2015, we helped our son to purchase his first house in New Hampshire. We were able to sign the contract on the house electronically from Maryland. Since then, I've signed many official documents electronically. If I can sign legal and financial documents electronically from home in 2023, then why can't I do the same with a ballot petition? The COVID-19 pandemic taught us many things, including that not everything has to be done in person, and indeed, the Maryland State Board of Elections allowed ballot petitions to be signed electronically as a temporary measure in 2020 and early 2021. In the digital age there is no reason ballot petitions can or should not be able to be signed electronically.

HB1112 includes a series of measures to modernize the ballot petition process, fix problems that petition campaigns have encountered, and increase their accessibility to Maryland's citizens. The bill:

- requires the State Board of Elections to develop regulations for the electronic collection of signatures
- allows for signers to use a derivative of their given name (e.g. substituting "Nick" for "Nicholas" if their identity can be reasonably confirmed).
- removes the criminal penalty for signing a petition more than once and states that the first signature shall be counted while invalidating any subsequent signatures.
- requires clearly marking what information (e.g birthdate) is optional to fill out on the form.
- requires the responsible Board of Elections to provide the coded signatures in a timely way to the petition campaign following a determination of deficiency, and allows the Board of Elections to charge a reasonable fee for the cost of copying.
- allows for voters whose signatures were invalidated due to a technical error to submit a corrected signature page up until the judicial review deadline.

It's time to bring the ballot petition process into the 21st century. I ask for a favorable report for HB1112.