

Institute *for* Responsive Government Action

The Institute for Responsive Government Action respectfully submits the following testimony in support of HB 1088:

It's time to upgrade Maryland's automatic voter registration (AVR) system.

An upgraded AVR system - like those adopted in **Colorado, Oregon, Alaska, Nevada, Massachusetts, Delaware, Minnesota, New Mexico, Michigan, Washington State, and the District of Columbia** - is the most efficient and secure system for registering eligible voters and updating current voters' registrations.

The Institute for Responsive Government Action is proud to submit a letter on behalf of the **Everyone Votes Maryland Coalition and eleven other leading civic and community organizations across the state supporting HB 1088**. (See Attachment A)

We thank Delegate Feldmark for her strong leadership on this issue.

This bill will accomplish three important goals:

- First, HB 1088 will get **more eligible, unregistered Marylanders registered to vote** than the current, partial AVR system - and will do so only **after carefully verifying their eligibility**.
- Second, HB 1088 will be more effective at **keeping current voters' information up to date, ensuring cleaner, more accurate voter rolls**.
- Third, HB 1088 will **increase safeguards against non-citizen registration, ensuring the integrity of the voter rolls** while **protecting noncitizens**.

HB 1088 accomplishes these goals for a modest upfront investment, with significant short, medium, and long term **savings for MVA, SBE, and local elections officials**.

The Upgraded AVR system in HB 1088 works by **identifying clearly eligible voters using information and documents they already provide**, and then **streamlining the process for those voters**. It allows **citizens to make decisions about voter registration from the**

comfort of their homes, rather than in the middle of a busy, potentially stressful transaction with the MVA or MHBE.

Upgraded AVR will work seamlessly with Maryland’s current closed primary system, just as it has in other closed primary states (like Oregon, Nevada, Delaware, and New Mexico). HB 1088 **provides more ways for voters to affiliate with a party than the current AVR system.**

HB 1088 will improve voter access, voter integrity, and government efficiency. It’s a policy that has been passed with **bipartisan support in other states**, and has been implemented by state and local election officials of both major parties.

To quote one bipartisan pair of Colorado local election officials, **“From beginning to end the entire process is safe, secure, and efficient - and it registers more voters.”**¹

With this bill, the Maryland General Assembly has the opportunity to engage more voters to actively participate in the democratic process.

Please see below for additional supporting analysis of the above testimony.

Thank you for your consideration,

Alex Tischenko
Senior Policy Advisor
Institute for Responsive Government Action

The Institute for Responsive Government Action is dedicated to ensuring state and federal governments work effectively for the very people they serve. Responsive Gov Action works to provide legislative advice and action, polling, and testimony in order to find practical policy solutions that make government systems more efficient, accessible, and responsive for everyday Americans.

¹ Pam Anderson and Molly Fitzpartrick, [Opinion: Colorado’s voter-registration system is a model of accessibility for the country](#), The Colorado Sun (Oct 13, 2021).

First, HB 1088 will get more eligible, unregistered Marylanders registered to vote than the current, partial AVR system - and will do so only after carefully verifying their eligibility.

- There are about 650,000 Marylanders who are eligible, unregistered US citizens.
- Less than half of unregistered MVA customers decide to register to vote through the current AVR system.
- Almost no customers use the current AVR system at the Health Benefit Exchange: HBE data shows that 97-98% of Health Benefit Exchange transactions do not result in a voter registration application.
- Before 2020, Colorado and Maryland had a very similar AVR system. When Colorado switched to Upgraded AVR in 2020, they doubled the registration rate for unregistered MVA customers. The increase was more than double for young people.²
- Every one of those newly registered voters under the Upgraded AVR system in Colorado presented the Colorado MVA a document proving their US Citizenship.

Second, HB 1088 will be more effective at keeping current voters' information up to date, ensuring cleaner, more accurate voter rolls.

- Marylanders are highly mobile: about 8% of the population moves within the state every year; Marylanders of color, renters, and lower income residents move even more often.
- Residential mobility leads to out of date voter registration addresses.
- Unfortunately, 30-40% of registered Maryland voters are not updating their registration address at MVA. Prior to switching to Upgraded AVR, Colorado's MVA experienced similar results.

² [New Research from Stanford Political Scientists Shows Dramatic Increases in Voter Registrations and Updates Caused by Reforms to Colorado's Motor Voter Procedures - Institute for Responsive Government](#)

- By upgrading their AVR system, the Colorado MVA processed over 200,000 additional voter registration address updates per year.³

Third, HB 1088 will increase safeguards against non-citizen registration, ensuring the integrity of the voter rolls while helping protect noncitizens.

- Under current MVA procedures, customers applying for Non-Compliant Drivers' Licenses (which can be issued to people without proof of lawful presence) are not asked about voter registration. This practice would continue under upgraded AVR.
- However, non-citizens applying for REAL ID are asked about voter registration, even after they've presented a document (like a Green Card) demonstrating that they are not a US Citizen.
- Upgraded AVR screens these confirmed non-citizens out of any voter registration questions or voter registration transactions.
- By doing so, the system protects them from making an inadvertent mistake with severe immigration consequences for them and their families.
- It does so without requiring the collection or storage of any new documentation or information; rather, it utilizes information and documents already provided by customers.

HB 1088 accomplishes these goals for a modest upfront investment, with significant short, medium, and long term savings for MVA, SBE, and local elections officials.

- Maryland is better positioned than any other state to make the transition from partial AVR to Upgraded AVR.
 - No new systems or database connections are necessary between the MVA and SBE; rather, implementing Upgraded AVR simply requires making changes to existing procedures and IT workflows.
- By processing more registrations through the MVA and MHBE, the upgraded system replaces hundreds of thousands of costly paper registration forms that voters would otherwise mail or file in person with local elections officials.

³ *Id.*

- Accurate and updated registrations also reduce undeliverable election mail, list maintenance mailers, provisional ballots, and same day registrations.
- By distributing voter registrations and registration updates evenly throughout the year, Upgraded AVR significantly reduces the crush of voter registration forms filed late in the election season - reducing the number of temp staffers needed at local elections offices.
- Upgraded AVR significantly reduces the number of MVA customers who require in-person voter registration services during MVA transactions.
 - Colorado’s MVA saw about a 1-minute and 30-second time savings per transaction as a result of the streamlined process.
 - Reductions in transaction times means cost savings, shorter lines, and higher customer satisfaction.

The Upgraded AVR system in HB 1088 works by identifying clearly eligible voters using information and documents they already provide, and then streamlining the process for those voters. It allows citizens to make decisions about voter registration from the comfort of their homes, rather than in the middle of a busy, potentially stressful transaction with the MVA or MHBE.

- Under the current AVR system, MVA and MHBE customers are interrupted in the middle of their transaction, and are asked a series of questions about voter registration.
- Unsurprisingly, many MVA and MHBE customers turn down this opportunity to register to vote or update their registration:
 - They are in a rush to finish their already lengthy transaction
 - They incorrectly believe that they’re already registered
 - They don’t understand that they need to update their address when they move - in other words, they hear “voter registration”, think “I am registered!” and don’t pursue it further

- Some may be unsure of their eligibility (such as returning citizens) or are unfamiliar with the process (such as young, first time registrants)
- Under Upgraded AVR, the system uses the documents that customers already provide to the MVA to identify citizens who are clearly eligible to register to vote.
 - For example, when an MVA customer provides a document that proves their US citizenship (like a passport, US birth certificate, or certificate of naturalization) and completes a licensing application, the MVA has collected all the information necessary to confirm the voter's eligibility to register to vote.
- Rather than interrupt their licensing transaction to ask a series of voter registration questions, the system forwards their information to election officials.
- Election officials follow up with the customer through a mailed notice that provides information about voter registration, and also offers them an opportunity to decline to register to vote.
 - If they don't decline within three weeks of the mailing of the notice, they are added to the voter rolls.
- A similar streamlined process applies to already registered voters who have moved or changed their name.
 - Rather than interrupt their licensing transaction to ask a series of questions about updating their voter registration address, the system forwards their information to election officials.
 - Election officials follow up with the customer through a mailed notice that informs them that their registration has been updated, and also offers them an opportunity to correct the update if necessary.
- A very similar procedure would apply to applicants for Medicaid and health exchange plans at the MHBE.

- MHBE already verifies applicants' citizenship through an automated federal database check.
- Applicants whose citizenship is verified through this database check would be provided with the same streamlined procedure as MVA - they would receive a mailed notice about voter registration or updating their registration.
- Upgraded AVR at MHBE will be particularly effective at keeping voter rolls clean and up to date, because MHBE applicants typically renew their coverage every year.

Upgraded AVR will work seamlessly with Maryland's current closed primary system, just as it has in other states (like Oregon, Nevada, Delaware, and New Mexico). HB 1088 provides more ways for voters to affiliate with a party than the current AVR system.

- Party affiliation is not an issue for the vast majority of users of upgraded AVR: most MVA customers are registered voters who have already affiliated with a party (or who have already chosen not to affiliate)
- Under Upgraded AVR, newly registered voters have three different options to affiliate with a party when they register to vote, and two different options to affiliate with a party when they're getting ready to vote.
- Voters newly registered through Upgraded AVR can affiliate with a party:
 - During the MVA transaction itself
 - (New!) By returning the upgraded AVR mailed notice, postage prepaid
 - By visiting an online portal (which the upgraded AVR mailed notice specifically references)
 - When applying for a mail ballot
 - (New!) When they show up at the polling place on election day or during early voting
- However, the election day party affiliation option is limited; this does not change our closed primary structure.
 - It only applies if:

- The voter is registered for the first time through Upgraded AVR
 - AND
 - The voter does not affiliate with a party before showing up to vote
- If these two criteria are met, the voter gets the same party affiliation opportunity that a same-day registrant currently gets.

Attachment A:

Institute *for* Responsive Government Action

To The Maryland Legislature:

On behalf of the undersigned state-wide and national organizations, we are writing to urge you to support SB 605/HB 1088, a bill that would upgrade Maryland's partial automatic voter registration system to secure automatic voter registration — the gold standard of voter registration systems, adopted by over ten states, including leaders in electoral participation like Colorado, Oregon, and Minnesota, to name a few.

Over the past few years, the importance of strengthening and protecting our democracy has become more evident than ever before in our nation's history. Democracy works best when every eligible Maryland resident can exercise their freedom to vote in an efficient, secure, and inclusive process regardless of background, geography, or demographics. Upgraded automatic voter registration helps streamline that process and ensures the electorate is reflective of our communities.

This year, legislators and elected officials in Maryland have the opportunity to adopt the most efficient and secure system for registering eligible voters and updating current voters' registrations at government agencies.

In addition to being the most efficient and secure automatic voter registration system, upgraded automatic voter registration would reduce costs for state agencies and elections officials and protect the freedom to vote for historically marginalized communities.

Our democracy cannot wait. The people of Maryland deserve a democracy that works for them, not against them.

Sincerely,

The Institute for Responsive Government Action
Everyone Votes Maryland Coalition
Common Cause MD
Baltimore Votes
Black Girls Vote MD
Maryland NAACP
League of Women Voters MD
Get Money Out MD
ADL Washington D.C.
AFSCME 3
Maryland PIRG
Planned Parenthood MD
Indivisible Howard County Defend Democracy Team