



Maryland State Board of Elections

Voter Registration Distributor Training - Correctional Facilities

Changes in Election Laws that Affect Voter Registration

Continuous Registration Law - Effective June 1, 2001

Before June 1, 2001, a voter's registration was canceled when an election office received information that the voter had moved from one county to another within Maryland. To vote in the new county of residence, the voter had to re-register. The provisions of Continuous Registration ensure that a voter's registration is permanent as long as the voter continues to live in Maryland and keeps their address current with the board of elections where they live. If a registered voter moves within Maryland, whether it is within the same county or from one county to another, and the voter notifies the Motor Vehicle Administration (MVA) of that change, their registration should automatically be moved to the new county of residence. The voter may also fill out a new Voter Registration Application (VRA), send a signed, written notice to the board of elections, or utilize the Online Voter Registration (OLVR) system to update their voter registration information to reflect the change.

Election Law §3-102. Qualifications for voter registration - Effective June 1, 2010

Effective June 1, 2010, Maryland Election Law was changed to allow individuals who are at least 16 years old to register to vote. Please note that being eligible to register to vote does not equate to being eligible to vote. Registrants that will be 18 years old on or before a general election may vote in the primary election prior to the general election if they have not yet reached 18 years of age.

Voting Rights - Ex-Felons Act- Effective March 10, 2016

The Ex-Felons Act amended the qualifications to register to vote in Maryland for criminal offenders. These qualifications are contained in the Election Law Article of the Annotated Code of Maryland, §3-102.

The Ex-Felons Act gives qualified reformed offenders an opportunity to register to vote and participate in the election process. The conditions preventing an offender from registering have been changed and now read:

- §3-102 (b) Exceptions. - An individual is not qualified to be a registered voter if the individual:
- (1) has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction.

Completion of the court-ordered sentence requires the service of any time in prison. The Act also prohibits individuals who have been convicted of buying or selling votes from registering to vote. If an individual is unsure whether or not they qualify to register, the Division of Parole and Probation and the court where the conviction was recorded should be able to provide information about whether and when the sentence was completed.

Help America Vote Act of 2002 (HAVA)

Congress enacted significant election reform legislation after the 2000 Presidential Election that mandates (1) identification for registrants who apply by mail after January 1, 2003 and will be voting in the state for the first time after January 1, 2004, (2) modification of the voter registration application form to include affirmation of citizenship and a requirement for a personal identification number (a driver's license or MVA identification card number, or if the individual has no MVA identification, the last four digits of a social security number), (3) provisional ballots, (4) voting system accommodations for individuals with disabilities, and (5) a uniform statewide voter registration system.



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In 2003, Maryland modified the content of the statewide voter registration application and amended the State's instructions for the federal NVRA form to ensure compliance. Local boards should be certain that Voter Registration Distributors are provided with the most recent forms to ensure prompt processing of mail-in voter registration applications.

Meeting the Verification Requirement - Personal Identification Number Must Be Provided by All New Applicants

A new voter registration applicant **must** provide their driver's license number or MVA Identification card number or learners permit number; or, if the applicant does not have a driver's license number, the last four digits of their social security number. The driver's license number or social security number provided by all new applicants must be verified by the Motor Vehicle Administration or Social Security Administration.

If the applicant does not provide this information, or the driver's license or social security number is not verified, the applicant will be placed in "pending" status. Election officials will notify the applicant that the application was incomplete and request additional identification. If the applicant does not respond to the notice and attempts to vote, they will be given the opportunity to vote a provisional ballot. Identification must be received prior to the provisional ballot canvass.

Affirmation of Citizenship for Mail-In Registrants

HAVA requires that Maryland's voter registration application include the question "Are you a US citizen?" This question appears in Box 1 of the Maryland Statewide Voter Registration Application. HAVA also requires that if an applicant fails to answer the citizenship question, election officials must notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner. The status of the voter's registration record will be made pending if the citizenship question is not answered. If time permits, the local election board may return a form to the applicant; or it may require the applicant to appear in person at the election office if a voter registration application deadline is approaching. If the applicant checks the "No" box in response to the citizenship question, their voter registration application will not be processed. However, if the application has previously been processed, the registration will immediately be canceled.



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Methods used to Register Voters in Maryland

Maryland recognizes two basic types of applications for voter registration: the Statewide Voter Registration Application, designed and produced by the State Board of Elections (SBE) as required by EL §3-202, and the National Voter Registration Application (known as the federal form), prescribed by the Election Assistance Commission (EAC) pursuant to the National Voter Registration Act (NVRA) of 1993.

The statewide form helps to ensure that all voter registration applications consistently meet all State and federal laws, provides uniform voter registration information to all Maryland voters, and enables jurisdictions across the State to obtain the same information from voters. SBE revises the statewide voter registration application after a change in voter registration law and/or the certification/decertification of a political party.

The content of the statewide application appears in several types of applications, including:

MAIL-IN REGISTRATION FORM

An applicant can complete a mail-in registration form with the required information, and return it to the appropriate election board for processing. Maryland has two mail-in registration forms: a regular VRA and an NVRA (specifically used at NVRA-designated agencies in Maryland). Both the VRA and NVRA forms are available in Spanish. The VRA form is also available in Amharic, Chinese (traditional and simplified), and Vietnamese.

VRA (SBE 03-202-1)- This application form is available at libraries and post offices throughout the State and is distributed by the election boards to voter registration distributors for registration drives and to citizens on request, in person, or through the internet.

NVRA (SBE 03-202-2)- This application is distributed to and used ONLY by designated NVRA agencies. The form is the same as the regular VRA but is distinguished by the logo "Register to Vote Now" on the back of the application. Election officials must ensure that only the NVRA form is distributed to designated NVRA agencies, so that the source of a registration can be properly credited on the monthly NVRA summary report compiled by SBE.

SBE WEBSITE APPLICATION

SBE provides additional access to the voter registration application form and other important election information through the agency website at www.elections.maryland.gov or via the QR code below. If the Voter Registration Distributor does not have enough printed voter registration applications, they may use the link above or the QR code below, as necessary.





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NATIONAL VOTER REGISTRATION APPLICATION

This is a generic federal form prescribed by the Election Assistance Commission pursuant to the National Voter Registration Act of 1993; it is available with State-specific instructions. Individuals who wish to use this form may obtain a printer-ready copy or a PDF version on the EAC website at www.eac.gov/voters/register-and-vote-in-your-state.

If an applicant is not a Maryland resident but seeks to apply to register to vote in another state, the applicant needs to complete this form. The VRD should advise the applicant to read and follow the instructions for the appropriate state. If these forms are returned to the State Board of Elections, the applications will be forwarded to the appropriate state board for processing.

Qualifications and Duties of a Voter Registration Distributor

What is the role of a Voter Registration Distributor (VRD)?

A Voter Registration Distributor, who has received training from a State or local election official, offers individuals an opportunity to apply to register to vote by distributing the statewide VRA, aiding with the completion of the application, and, when requested, returning the completed applications to a State or local election official for processing.

Who can be a Voter Registration Distributor?

To qualify as a VRD, an individual must be of legal voting age. VRD's are encouraged to complete VRD training with the State Board of Elections or a local board of elections within the State.

What is considered the legal voting age?

Someone who will be 18 years old by the next succeeding general or special election is of legal voting age.

Does an individual have to be a resident of Maryland to be a VRD?

No. As long as the individual meets all other qualifications, an individual who lives outside of Maryland is not prohibited from becoming a VRD.

What are the duties of a VRD?

- a) Ensure that the VRA is filled out correctly, completely, and accurately.
- b) Advise the registrant that they may personally return the application to the appropriate election board or permit the VRD to return it for processing.
- c) When entrusted with the completed VRA, the volunteer must promptly return the application to the appropriate election office, either by mail or in person.
- d) If the application is obtained immediately before an advanced voter registration deadline, the VRD must ensure that it is delivered timely.

Timeliness: To ensure that an individual is registered to vote prior to the beginning of early voting and qualifies to participate in an upcoming election, the VRD must deliver any application completed on or before the advanced voter registration deadline to an election official not later than 5:00 p.m. on the last day to pre-register to vote. Any application delivered to election officials after that time cannot be processed until voter



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registration reopens 11 days after the election.

If a VRD mails an application to the appropriate election office, the application must bear a postmark indicating that it was mailed on or before the advanced voter registration deadline date in order to be processed for the election. Applications that bear a postmark after the advanced voter registration deadline will be processed when the books reopen.

- e) All individuals, regardless of party or candidate preference, should be registered. A VRD may not attempt to influence the applicant's party affiliation decision or check off a party choice if the voter has not done so.
- f) If, rather than entrusting the VRA to the VRD, the applicant decides to return the form "by mail" to the election board, the VRD should ensure that the applicant has provided either a personal identification number that can be verified or a copy of alternative identification information to satisfy HAVA requirements. While the VRA can be processed without the information, a first-time voter will have to provide identification before their vote can be counted.

Note: A VRD should carry identification, approved by the State Administrator, to establish that the VRD has been trained to register voters.

Can a VRD receive compensation for registering voters?

No. A VRD may not be paid on a per registrant basis for voter registration activity. A volunteer may, however, be served meals, beverages, or refreshments, or may be compensated for expenses actually incurred for meals or transportation, incidental to registration activities. In addition, a person who works in a facility of incarceration may assist with registration while earning pay if their registration activities are not the purpose of, but merely incidental to, their paid duties.

Can a VRD offer money or any other item of value as an incentive when providing applicants an opportunity to register to vote?

No. On August 22, 2000, the State Board of Elections unanimously adopted a strong policy that prohibits staff of the State Board, local boards and their staffs, designated agencies, and other official voter registration distributors from offering or permitting others **to offer money or any item of value** in connection with a voter registration drive. However, this policy does not prohibit giving those who register or others who accompany them a sticker, pin, or similar item of nominal value.

What is the VRD's duty to keep personal identification information (i.e., social security numbers and driver's license numbers) confidential?

A VRD or any individual assisting another individual to register to vote may not copy or retain personal information for any reason. The VRD could be blamed for identity theft or other problems caused by the improper release of personal information.

Can the VRD make copies of voter registration applications before returning them to election officials for processing?

Copying of VRAs is not sanctioned by SBE and could lead to the improper release of confidential personal information. However, there is currently no specific law prohibiting copying of an application. SBE recommends that a VRD never copy a voter registration application.



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Completing the Statewide Voter Registration Application

When assisting an individual to register to vote, a VRD or agency employee should ensure that the applicant reviews the qualifications to register in items 1-9 on the voter registration application.

Box 1: Are you at least 16 years old? The **YES** box must be marked.
Are you a U.S. citizen? The **YES** box must be marked.

Box 2:**Reason for filling out the application:** This form can be used to register to vote in Maryland for the first time or to change a registered voter's name, address, or party affiliation.

Box 3:**Name:** The applicant must print full name including Last, First, Middle, Suffix (Jr, Sr, etc.).

Date of Birth: Ensure that the applicant entered month, day, and four-digit year.

Gender: Ensure that the applicant has checked Male, Female, Unspecified or Other.

Box 4: **Verification:** If the applicant has a current, valid Maryland driver's license, MVA identification card, or learner's permit, the applicant must enter the MVA number here. If the applicant has neither of these, the applicant must enter the last four digits of their social security number.

Box 5:**Maryland Residential Address:** The applicant must provide the actual physical street address of their residence, including any unit number. For voting purposes, an incarcerated person's residence is their last location prior to incarceration. **A post office box or a business or other non-residential address cannot be used.**

Box 6:**Mailing Address:** For currently incarcerated individuals, this will be their facility-provided mailing address. Post office boxes may be listed here. State law does not require that the mailing address be in the same county as residence.

Box 7:**Party:** If an individual does not select a party, the election board will enter the applicant as "unaffiliated."

Box 8:**Contact Information:** Unless they have regular access during incarceration to internet-enabled devices, voters who are incarcerated should leave this section blank.

Box 9:**Oath and Signature:** Confirm that the applicant has read the oath, and that the application is filled out completely, **signed** and dated. *(If the voter is unable to sign their name, assist them in completing all but Box 9, and then complete the form titled "**Assistance Provided to a Person Who, Because of a Handicap or Otherwise, is Unable to Complete or Sign the Voter Registration Application**" and attach it to the Voter Registration Application. If the form is not available, you can write the registrant's name in the signature space, and beside that, write the words "Assisted by:," sign the registration, and then print your name under your signature.)*

LAST VOTER REGISTRATION INFORMATION: If the applicant is currently registered to vote, whether in Maryland or in another state, the applicant should complete this section.

ELECTION LAW COMPLIANCE REMINDER: You **must** inform the applicant that they have the option of either



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personally returning the Voter Registration Application to the county board of elections office by mail, or giving the Voter Registration Application to you for return.

Quick Reference Guide

Uses for a Statewide Voter Registration Application:

- ▶ Apply to Register to Vote in Maryland
- ▶ Change Current Voter Registration Address
- ▶ Change Current Party Affiliation
- ▶ Change or Update Registered Voter's Name

Qualifications to Register to Vote:

- ▶ Be a U.S. citizen
- ▶ Be a Maryland resident
- ▶ Be at least 16 years old
- ▶ Not have been found by a court to be unable to communicate a desire to vote
- ▶ Not have been convicted of buying or selling votes
- ▶ Not currently convicted of a felony and serving a court-ordered sentence of imprisonment.

Residency in Maryland:

To be considered a Maryland resident, an individual's domicile must be in **Maryland**. Your domicile is **the place that you consider to be your 'official' or 'permanent' home (the location you most recently lived at or intend to return to)**, even though it may be different from the place where you are residing on a short-term or temporary basis. For example, the address that is most frequently used on tax returns or other government documents, driver's license, bank accounts, and insurance purposes, is generally considered to be your domicile.

Must be 18 by the next General Election to vote, and must be at least 16 years old to register to vote:

The 2005 Maryland Legislature passed Senate Bill 86, Rules of Interpretation - Computation of Age that was signed into law by the Governor on April 26, 2005. This legislation was for the purpose of establishing that an individual attains a specified age on the day of the anniversary of the individual's birth. This means that an individual for voting purposes would have to be 18 on or before the next general election for them to be able to vote. An individual born on February 29 attains a specified age on March 1 of any year that is not a leap year.

Local Board of Election Contact info can be found at: https://elections.maryland.gov/about/county_boards.html.