

# State of Maryland

## Voter Registration List Maintenance

Voter registration is governed by the federal National Voter Registration Act of 1993 (also referred to as NVRA or “Motor Voter”) and State laws. These laws define the official data sources that can be used to update and cancel voter registration records and the process to notify voters about official information that may impact their ability to register and vote.

### **List Maintenance**

Maryland receives information from other states daily on individuals who are now registered to vote in another state, allowing the Local Boards of Elections (LBE) to cancel their Maryland registration.

Maryland also receives information from the following agencies:

- Death records from the **Department of Health (MDH)** on a monthly basis. These voters’ records are cancelled immediately, with no verification process required. The data is loaded into the statewide voter registration database (MDVOTERS), and the LBEs have 5 business days to complete the cancellation process.

*The removal of deceased voters from the registration records avoids others from fraudulently voting in the deceased person’s name.*

- Felony convictions from the **Administrative Office of the Courts (AOC)** on a monthly basis. The data is loaded into MDVOTERS, and the LBEs have 5 business days to send the required correspondence. The voter has 2 weeks to reply and explain why the voter’s record should not be cancelled. If the voter doesn’t respond in 2 weeks, the record is cancelled. The voter may re-apply once their court-ordered period of incarceration is complete. The exception to re-applying for registration is if the voter has been convicted of buying or selling votes, which is a permanent disqualification from registration and voting in Maryland.

*The removal of convicted felons who are serving a court ordered sentence of incarceration from voting prevents others from fraudulently voting in the incarcerated person’s name.*

- Felony conviction notifications are received from the **Federal courts** on a periodic basis. The data comes via paper form, and the documents are sent via SBE to the LBEs for processing. The voter has 2 weeks to reply and explain why the voter’s record should not be cancelled. If the voter doesn’t respond in 2 weeks, the record is cancelled. The voter may re-apply once their court ordered period of incarceration is complete. The exception to re-applying for registration is if the voter has been convicted of buying or selling votes, which is a permanent disqualification from registration and voting in Maryland.

*The removal of convicted felons who are serving a court ordered sentence of incarceration from voting prevents others from fraudulently voting in the incarcerated person’s name.*

- Returned mail from the **USPS** is processed according to the federal National Voter Registration Act of 1993 (NVRA) procedures. The processing varies depending on the information contained on the USPS “yellow” sticker on returned mailings from an LBE or SBE.

*Returned mail is oftentimes received by an LBE on a daily basis and relies on returned mail delivery from the USPS. This data processing maintains up-to-date addresses in a timely manner and allows for prompt contact attempts to verify address information for voters who do not fit the requirements for immediate address updates (out of state, post office*

*boxes in other LBEs, last name only on USPS sticker when more than one individual at the address with the same surname, etc).*

- Name and address changes are periodically received from the **Circuit Courts**. Voter names are updated from these reports.
  - Addresses are updated if within Maryland.
  - Out of state addresses are sent an NVRA confirmation mail correspondence.
    - If a response is received, the provided information is processed promptly.
    - If no response is received, the voter is moved to Inactive status after 14 days.

*Processing name and address changes from the Circuit Court allows for prompt updates and allows for prompt contact attempts to verify address information for voters who do not fit the requirements for immediate address updates (out of state, post office boxes in other LBEs).*

- Address changes are made from voter signatures on **Petitions**. If the voter provides an out-of-state address, the voter's record is cancelled. In-state addresses are updated or transferred to the appropriate LBE for updating.

*Updating addresses from petitions allows for address cleanup and ensures individuals are voting in the location they have indicated is their residence. Cancelling records of voters who provide an out of state address as their residence prevents non-Maryland residents from voting in Maryland.*
- Notices from **Jury Commissioners** regarding information on individuals who have moved, are deemed deceased and non-citizens on a quarterly basis. This data is loaded into MDVOTERS and the LBEs process the information.

#### *Address changes:*

After a review of the voter record to verify that a more current transaction has not happened since the date of the jury information, the change/update is processed.

- A voter moving within the same LBE is updated without further required verification.
- A voter moving to another county is forwarded to the new LBE and the transfer is completed without further required verification.
- If a new post office box address is provided in a different county, the voter is sent an NVRA confirmation mailing correspondence.
  - If a response is received, the provided information is processed promptly.
  - If no response is received, the voter is moved to Inactive status after 14 days.
- If an out of state address or an out of country address is provided, the voter is sent a NVRA address verification notice.
  - If a response is received, the provided information is processed promptly.
  - If no response is received, the voter is moved to Inactive status after 14 days.

#### *Death notifications:*

- The LBE searches the MDH interface in MDVOTERS.
  - If the voter is located, the record is cancelled without need for further verification.
- If the voter is not located in the MDH interface, the voter is placed into Inactive status and a letter is sent to the voter's address.

- If a response is received verifying the voter is deceased, the record is cancelled. The response must include an original signature.
- If a response is received indicating the voter is still alive, the record is returned to Active status. The response must include an original signature.
- If no response is received, the record is cancelled after 14 days.

*Non-Citizens:*

- The LBE sends a letter to the voter.
  - If a response is received that the voter is a U.S. citizen, the record is returned to Active status. The response must include an original signature.
  - If no response is received, the record is cancelled after 14 days. The information is then forwarded to the Office of the State Prosecutor.

*Processing Jury Commission information allows for the cancellation of non-citizens, provides updated addresses for voters who have moved within Maryland, and allows for the mailing of NVRA confirmation mail correspondence that allows the voter to be moved to Inactive status if they do not respond.*

- Maryland is also a proud member of the **Electronic Registration Information Center (ERIC)**. ERIC is a non-profit organization with the sole mission of assisting states to improve the accuracy of America's voter rolls and increase access to voter registration for all eligible citizens. ERIC is governed and managed by states who choose to join and was formed in 2012. Currently 30 states plus the District of Columbia (DC) are members.

Each ERIC member shares their voter registration data along with data provided by each Department of Motor Vehicles. This allows the data to be matched with member states and against the Social Security Administration's death records and the National Change of Address (NCOA) program through the U.S. Postal Service. Maryland receives 5 reports from ERIC: in-state duplicate records, death notifications, in-state address changes, cross-state address changes and a report from NCOA regarding address updates.

- Death notifications and in-state duplicate record reports are received in odd months (January, March, May, July, September, and November).
- In-state updates (address changes), cross-state address changes, and NCOA records are received in even months (February, April, June, August, October, December).
- The timing of these reports changes during federal/state-wide election cycles. During this 90-day time, in-state duplicate record reports and death notifications reports are received monthly and processed by the LBEs in accordance with federal and State laws and regulations. Under federal law, however, address verification transactions for cross-state and NCOA reports cannot be processed within 90 days prior to a federal/state-wide election.
- In general, 2 weeks are allowed for processing. This timing may be adjusted, primarily to accommodate the processing prior to the generation of voter list, precinct registers, and electronic pollbook data for an election.

The ERIC reports provide information to remove deceased voters and update addresses. This allows for cancellations for voters who have moved out of state, and keeps the voter rolls up to date with current addresses and the mailing of NVRA confirmation mail correspondence that allows the voter to be moved to Inactive status if they do not respond.

**OF NOTE:**

- Many cancellations require a signed response from voters or their family members (deceased). If a voter or family member does not respond or return official election-related mail, the voter will remain registered to vote (typically in Inactive status) for up to 2 federal general elections. This process is defined by federal law.
- Data is submitted nightly by the Maryland Motor Vehicle Administration (MVA) and other designated State agencies and is loaded into MDVOTERS for processing by the LBEs. This information is submitted from user input during agency transactions and includes new registrations, address changes, name changes, and party affiliation changes.

**Frequently Asked Questions**

How do election officials keep voter registration lists “clean” in Maryland?

Maryland follows federal law. NVRA defines the process to remove a voter from the voter registration list. Sometimes election officials can remove a voter’s name without the voter confirming the action, but other times, the voter must confirm by signature the removal. Under this law, we can’t remove a voter just because the voter doesn’t vote.

When can election officials remove a voter’s name from the voter registration list?

We can remove a voter from the list without further confirmation if:

- The voter asks by signature to have his or her registration cancelled or
- We learn from Maryland Department of Health that the voter has died

We can also remove a voter after notifying the voter if:

- The voter has been convicted of a felony and is in prison
- The voter is under a mental disability and a court has specifically found that the voter can’t communicate a desire to participate in the voting process
- The voter has been convicted of buying or selling votes
- The jury commission notifies us that a voter has moved, died, or is a non-citizen
- The Social Security Administration reports that the voter has died

When election officials receive this information, they send a letter asking the voter to explain why the registration should not be cancelled. If the voter doesn’t respond within 2 weeks, the voter’s registration is cancelled.

What happens if a voter moves to another state?

If a voter sends to the LBE for the county where they lived in Maryland a signed letter that they have moved, election officials cancel the voter’s registration in Maryland.

Most of time, we learn from other sources that a voter has moved. For example, the United States Postal Service returns a voter’s sample ballot and provides the voter’s new address. When election officials receive this information, they send a letter asking the voter to confirm where they live. The letter is sent by forwardable mail and includes a return card for the voter to use to tell us their new address. This is the called “confirmation mail” process and is required by federal law.

If the voter returns the card and confirms that they have moved to another state, election officials cancel the voter’s registration. If the voter doesn’t respond to the mailing within 2

weeks, the voter becomes an “inactive voter.” If the “inactive voter” doesn’t vote or try to vote in the next two election cycles (four years), the voter’s registration will be cancelled. Again, this process is required by federal law.

If I’m designated as an “inactive voter” may I still vote?

Yes. When you vote, a poll worker will ask you to confirm your residential address and your voter registration record will be returned to an “active” status.

Will election officials cancel voter records based on information from other sources?

No. Federal and State laws define the sources of information election officials can use to update or cancel a voter’s record. This information is either official government data or data from ERIC, which is based on official government data and strong data matching criteria.

Updating voter information or canceling voter records based on unofficial data may result in incorrect changes to a voter’s record and the voter’s inability to vote.