

# State of Maryland

## Petition Acceptance and Verification Procedures

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**DISCLAIMER: The information provided in the Petition Acceptance and Verification Procedures is not legal advice and intended as an aid to election officials in processing submitted petitions. For others, we suggest that you consult your own legal counsel regarding the petition process and applicable laws. Material Revised: November 6, 2019**

### **Acceptance:**

1. Determine if you have timely received written applications for removal of signatures (see Election Law, §6-203(c)). Applications for removal must be received before the petition is filed. Copies of removal applications may be provided to the petition sponsor on request. Contact the State Board of Elections (SBE) for guidance.
2. If you are receiving this petition, SBE has determined that the verification should take place because:
  - a. The petition was timely filed;
  - b. The Information Page was complete and stated that the petition contains at least the required number of signatures;
  - c. The State's initial review indicates that the form of the petition signature page generally satisfies the requirements of law. However, as each petition signature page is verified by the election staff, the form of that page must be reviewed to determine if it satisfies the requirements of law. See below for further details; or
  - d. The State's chief election official, on advice of counsel, has determined that the petition may not comply with the law, but that the verification is in the interest of orderly management of the election.
3. If the petition is a local petition, the Local Board of Elections (LBE) shall follow the above review to determine acceptability.

### **Processing:**

1. Number each petition signature page: determine if the signature pages have been numbered by SBE or the Petition Sponsor or if this is a step the LBE needs to perform for a local petition.
2. Keeping the petition signature pages in numerical order, separate the pages into batches of 25 pages each.
3. All petitions must be processed using the Statewide Voter Registration System (MDVOTERS). Each LBE will perform the "Pre-Process Sheets" steps in MDVOTERS. Use only the batch numbers defined for your jurisdiction. Your assigned batch numbers have been emailed or otherwise provided to the staff member designated as your LBE pre-processor(s).

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4. Multiple MDVOTERS users can process signature pages at the same time, but each user may only work with one batch of 25 pages at a time. Multiple users may not work on the same batch of 25 pages at the same time.
5. COMAR requires that a code be entered next to each signer's name on every signature page following a determination of validity. When indicating a validation code, the verifier should be careful not to mark over or obscure any signatures or other matter written on the signature page, and should never fill in missing information or make any marks other than the validation code. We suggest that validation codes be marked in red or green color ink – not blue or black.

**Validation of Signature Page:**

1. First, review the bottom of each signature page. Review the circulator's information block and affidavit. Invalidate each signer's name on the page if the following circulator information is missing or incorrect, and code each signer's name **CI** – Circulator Issue.
  - a. Circulator's printed or typed name is missing – an address label or stamp is OK
  - b. Circulator's residence address is missing – an address label or stamp is OK. The zip code is not required
  - c. Circulator's telephone number is missing – an address label or stamp with this information is OK. The area code is required
  - d. Circulator's name and/or address is that of an entity and not an individual (i.e., church or business name and address).
  - e. Circulator's signature is missing
  - f. Date of circulator's affidavit is missing
  - g. There is more than one circulator
  - h. The circulator's printed name is not consistent with the circulator's signed name. Do NOT invalidate signatures if the circulator's signature is illegible or does not exactly match the circulator's name as printed.
2. Next, review the top of each signature page. If any of the required information listed below is missing, the entire signature page is potentially invalid. (Please contact SBE for additional instruction if you find signature pages that are not in the proper format). If, after consultation with SBE, the petition format is found unacceptable, invalidate each signer's name on the page and code each signer's name **PF** – Petition Format Issue. Each signature page must include:
  - a. Name of county or box checked to indicate it is for Baltimore City;

*New Political Party Petition:*

- a. Political Party Name
- b. State Chairman's name and address (the State Chairman may change during the circulation of the petition – see SBE communication for information on the chairmanship changes).

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*Candidate Nomination Petition:*

- a. Candidate name
- b. Candidate address
- c. Candidate party affiliation (Presidential Primary election only) or unaffiliated.

*Statewide Referendum or Public Local Law Referendum Petition*

*(an Act passed by the Maryland General Assembly):*

- a. The full text of the Act printed on the back of the signature page; or
- b. A fair and accurate summary of the substantive provisions of the Act, which has been approved by the Attorney General, printed on the back of the signature page. If the petition sponsor elects to print a summary of the Act on each signature page, each circulator must have the full text of the Act present at the time and place that each signature is placed on the page. The signature page must state that the full text is available from the circulator. If the text of the Act is attached to the page, see step 5. If the text of the Act is not printed on or attached to the signature page, see step 4.

*Local Law Referendum Petition:*

- a. The bill number and title
- b. The language indicating that the full text of the bill appears on the back of the signature page.

**\*Local laws may provide additional requirements for Local Law Referendum Petitions\***

3. Next, determine if the “Notice to Signers” block is present and contains the complete notice. Please contact SBE for instructions if you find signature pages without the proper notice to signers. If the Notice is deemed insufficient, invalidate each signer’s name on the page and code each signer’s name **PF** – Petition Format Issue. (See below for current language.)

As of 4/2011, the appropriate Notice to Signers language is as follows:

*New Political Party Petitions:*

“Notice to Signers: Sign and print your name (1) as it appears on the voter registration list, OR (2) your surname of registration and at least one full given name AND the initial of any other names. Please print or type all information other than your signature. Post Office Box addresses are not generally accepted as valid. By signing this petition, you agree that the above-named party should be recognized in Maryland and that, to the best of your knowledge, you are registered to vote in Maryland and are eligible to have your signature counted for this petition.”

*Statewide Referendum and Local Law Referendum Petitions:*

“Notice to Signers: Sign and print your name (1) as it appears on the voter registration list, OR (2) your surname of registration AND at least one full given name AND the initial of any other names. Please print or type all information other than your signature. Post Office Box addresses are not generally accepted as valid. By signing this petition, you agree that the bill identified above should be placed on the ballot as a referendum question at the next

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general election and that, to the best of your knowledge, you are registered to vote in Maryland and are eligible to have your signature counted for this petition.”

*Candidate Nomination Petitions:*

“Notice to Signers: Sign and print your name (1) as it appears on the voter registration list, OR (2) your surname of registration and at least one full given name and the initial of any other names. Please print or type all information other than your signature. Post Office Box addresses are not generally accepted as valid. By signing this petition, you agree that the above-named candidate should be placed on the ballot for the office and election indicated and that, to the best of your knowledge, you are registered to vote in Maryland and are eligible to have your signature counted for this petition.”

**If you are presented with a petition that contains a different notice to signers, please call SBE for instructions.**

*Statewide or Public Local Law Referendum Petition:*

4. Next, determine if the bill text or summary is present on the back of the signature page. If the bill text or summary is not on the back of the signature page and is not otherwise attached, invalidate each signer’s name on the page and code each signer’s name **PF** – Petition Format Issue.

*Statewide Referendum or Public Local Law Referendum Petition*

5.

*(an Act passed by the Maryland General Assembly):* Finally, review the back of each signature page. The full text of the Act, or a fair and accurate summary of the substantive provisions of the Act, which has been approved by the Attorney General, must be printed on the back of the signature page. If the full text or summary is not printed on the back of the signature page, **but is attached** (stapled, taped, etc), invalidate each signer’s name on the page and code each signer’s name **TA** – Text Attached.

**\*\*Note – Even though a page is deemed invalid due to CI, PF or TA code, each petition entry on the signature page must be processed to capture address changes and duplicate signatures.**

**Validation of Signer Names:**

1. Review each petition entry according to the steps below to determine whether it complies with Election Law §6-203 and reflects the name of a registered voter in Maryland and whether the voter’s current residence address meets the petition criteria.
2. **Name determination**
  - a. First determine if the petition entry includes the information required by Election Law §6-203, which states “To sign a petition, an individual shall: (1) sign the individual’s

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name as it appears on the Statewide voter registration list or the individual’s surname of registration and at least one full given name and the initials of any other names.”

Both the printed name and the signature must be reviewed. If every required component is present when considering the printed name, the signature, or both together, the signature is to be accepted.

For example, a voter is registered as John Henry Smith. The printed name on the petition entry is John Smith. The signature on the petition entry is J. H. Smith. All components of the voter’s name as registered (surname, one full given name and the initial of any other name) are included when reviewing both the printed name and signature portions of the petition entry, and therefore the signature is accepted.

The printed name is not required to match the signature, but the names must be consistent.

- b. If the petition entry name does not include a suffix that appears on the voter registration list (e.g., Jr., Sr., III) but is otherwise sufficient, the name is acceptable.

Voter registration name listed in MDVOTERS – John Henry Smith

<i>Printed Name</i>	<i>Signed Name</i>	<i>Acceptable or Not?</i>
John Henry Smith	John Henry Smith	Acceptable
John Smith	John H. Smith	Acceptable
John Smith	J. Henry Smith	Acceptable
John Smith	J. H. Smith	Acceptable
Jack Smith	J. H. Smith	Not Acceptable
J. Smith	J. Smith	Not Acceptable
J. Smith	J. H. Smith	Not Acceptable

When reviewing petition entries, you are looking for evidence that the voter has identified himself or herself to the standard required by law. If a word or name (either printed or signed) is only partially legible, use any letters or portions of the name that you can read to decide whether the signer has provided the required information. Do NOT reject any name (printed or signed) only because it is illegible.

If the petition entry is for a voter who has a hyphenated (or two distinct) last names, only one of the names is required to be provided. For example, a voter is registered as Susan Jones-Smith, either Susan Smith or Susan Jones is acceptable.

For any petition entry that does not meet the above name criteria, reject the entry with a code **NS** – Name Standard.

- 3. For each petition entry that is processed, mark the voter’s registration record to ensure that, if this individual signs **this petition again**, it will be clear that the subsequent signature is a duplicate. Invalidate each duplicate name, and code the name **DUP** – Duplicate Name.

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Marking duplicate entries does not change the acceptance or rejection status on previously processed lines for the individual voter.

4. If you determine that the signer provided an acceptable name on the signature page, is registered and has provided the same address as listed in the Statewide voter registration list, if the address meets petition criteria, none of the other signer or date issues outlined in steps 9 and 10 below are present, AND the signer's name is submitted on an internet/computer generated form, code the signer's name **CG** (Internet/Computer Generated Page). Only signers who submit their names on internet/computer generated pages that would otherwise be coded OK for an Active voter should be coded **CG – Internet/Computer Generated Page**.
5. If you determine that the signer provided an acceptable name on the signature page, is registered and has provided the same address as listed in the Statewide voter registration list, if the address meets petition criteria, none of the signer or date issues outlined in steps 9 and 10 below are present, AND the signer's name is submitted on a non-internet/computer generated form, code the signer's name **OK for an Active voter and INV for an Inactive voter**. If the individual is listed as an inactive voter, follow the steps outlined in Section B of COMAR 33.05.07.03, quoted below.
  - B. *When Petition Address is Same as Record Address. If an individual on an inactive list signs a petition and provides the same address as the address on file at the local board office:*
    - (1) *The signature is considered written confirmation of the individual's continued residence at that address; and*
    - (2) *The election director shall remove the individual's name from the inactive list and update the individual's record in the Statewide voter registration list.*
6. If you determine that the signer provided an accepted name on the signature page, is registered but gave an in-county address different from the address in the Statewide voter registration list, if the new address meets the petition criteria, and if none of the signer or date issues outlined in steps 9 and 10 below are present, code the name **WA-OK for an Active voter and WA-INV for an Inactive voter**. If the individual is listed as an inactive voter, follow Section C(1) and (2) of COMAR 33.05.07.03, quoted below. Even if the signer's name is not valid, make an address change on the voter registration record.
  - C. *When Petition Address is Not Same as Record Address.*
    - (1) *If an individual on an inactive list signs a petition and provides an address different from the address on file at the local board office:*
      - (a) *The signature is considered written confirmation of a change of address; and*
      - (b) *The election director shall take action as provided in Section C(2), (3), or (4) of this regulation.*
    - (2) *If the address on the petition is within the same county served by the local board, the election director shall:*
      - (a) *Take appropriate action under COMAR 33.05.06.01; and*
      - (b) *Remove the voter from the inactive list.*

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- (3) *If the address on the petition is within a different Maryland county, the election director shall:*
  - (a) *Take appropriate action under COMAR 33.05.04.02; and*
  - (b) *Remove the voter from the inactive list.*
- (4) *If the address on the petition is in a jurisdiction outside Maryland, the election director shall take appropriate action under COMAR 33.05.06.03.*

If you determine that the signer provided an accepted name on the signature page, is registered (active or inactive) but gave a new address not within your local jurisdiction, determine whether the new address meets the petition criteria and whether any of the signer or date issues outlined in steps 9 and 10 below is present. If the address meets petition criteria and no signer or date issue is present, determine the new county of residence and code the signer's name **OK-CT (OK (registered voter) – CT (county transfer))**. MDVOTERS will allow you to count the signer's name as valid and mark the voter's record. Send the voter's information to the new county of residence. On the signature page, you may add the county code for the new county of residence if this assists with processing the change after verification. If the address does not meet the petition criteria, or if a signer or date issue is present, do not count the signer's name as valid, but send the voter's information to the new county of residence.

7. If the signer is registered to vote in Maryland but the address does not meet petition criteria, invalidate the signer's name and code the name **WA** – Invalid New Address. (Used mostly for candidate or local charter petitions.)
8. If the signer is not registered in your local jurisdiction and, after performing a **statewide database search**, you determine that the signer is not registered in Maryland, invalidate the signer's name and code the name **NR** – Not Registered.
9. If you determine that the signer is registered in Maryland (under steps 3-7 above), but any of the following required information about the signer is missing from the petition signature page, invalidate the signer's name and code the name **SI** – Signature Issue.
  - a. Signer provided no address
  - b. Signer provided no signature

**\*\* NOTE:** If the signer does not include a printed name, but provided an accepted name in the signature space that can identify the voter on the signature page and you can determine the voter is registered, code the signer's name accept as valid and mark with the appropriate code.
10. **Date Issue:** If you determine that the signer is registered in Maryland (under steps 3-7 above), but any of the following date issues applies, invalidate the signer's name and code the name **DI** -Date Issue.
  - a. Signer provided no date (**UPDATED 2/28/12**)
  - b. Signer provided a date that was not within the acceptable time frame (For example: Referendum petition signature must have been affixed after the final action of the General Assembly on this bill)

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- c. Signer provided a date later than the date of the circulator's affidavit.

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**Petition Codes:**

**Acceptance Codes:**

OK	Valid Name
CG	Internet/Computer Generated Page
INV	Inactive Voter OK – may be counted as valid signer for this petition and will trigger confirmation mailings as per COMAR
WA-OK	Valid Name at Valid New Address – Use this code when the name is acceptable and you can determine that the voter is registered in Maryland but at an address different than the address provided on the petition (new address <u>does</u> meet petition criteria)
WA-INV	Inactive Voter at Valid New Address – may be counted as valid signer for this petition and will trigger confirmation mailings as per COMAR
OK-CT	Use this code when the signer is registered in your local jurisdiction but provided an out-of-county address on the petition (new address <u>does</u> meet petition criteria)

**Rejection Codes:**

*\*Process rejections in the following order*

CI	Circulator's information missing, incorrect, or incomplete
PF	Petition Format Issue – Example: if the bill number, title, or notice to signers is missing or incorrect, the party name or the chairman's name is missing
TA	Text Attached – the text of the Act is attached (stapled, taped, etc) to the signature page, but is not printed on the back of the signature page
NR	Not registered in Maryland
DUP	Duplicate Name – signed this petition more than once
DI	Signer Date Issue – Use this code for no date, partial date, or dated too late or too early. See State Board communication or a copy of the information page for date of last signature. ( <b>Note</b> – use CI – Circulator Issue code if there is an issue with the circulator's signature – not this code).
SI	Signature Issue – Use this code for no signature, no printed name, no address or petition entries that exceed the number allowed on the form, petition entries clearly added by someone other than the voter, voter request received prior to petition submission to remove signature (scan and attach request to voter's record)
NS	Name Standard – Use this code if the name (either printed or signed) is not partially legible and does not use letters or portions of the name that you can read to decide whether the signer has provided the required information required in Election Law, §6-203
WA	Invalid New Address – address does not meet petition criteria, or a Post Office Box address is the only address provided and is NOT reflected in the Voter Registration record.

Refer to State Board Guidelines – Questions and Answers – Section II – Verification Process for additional guidance on acceptance and validation of petition entries.

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**Reporting Results:**

1. Only names coded **OK, CG, INV, WA-OK, WA-INV, and OK-CT** should be counted as valid. Validation must be completed within 20 calendar days from receipt of the petition.
2. For State filed petitions, please print page 1 of the PM-003 – Petition Processing Statistics Report, have the chief staff person sign and date the page and fax it to SBE. This notifies SBE that you have completed your verification.
3. SBE will notify the Petition Sponsor of the result of the validation for State filed petitions. The LBE Director must notify the Petition Sponsor of the result of the validation for local filed petitions. Within 2 business days after completion of the validation of a State filed petition, the petitions and all associated papers must be forwarded to the SBE.

County Codes

Allegany County	AL
Anne Arundel	AA
Baltimore City	CTY
Baltimore County	BA
Calvert County	CAL
Caroline County	CA
Carroll County	CAR
Cecil County	CE
Charles County	CH
Dorchester County	DR
Frederick County	FR
Garrett County	GT
Harford County	HA
Howard County	HO
Kent County	KT
Montgomery County	MG
Prince George's County	PG
Queen Anne's County	QA
St. Mary's County	ST
Somerset County	SO
Talbot County	TL
Washington County	WA
Wicomico County	WI
Worcester County	WO