DISCLAIMER: The information provided in the "Frequently Asked Question's" is not legal advice and is intended as an aid to elections 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: May 11, 2012

What do you do if:

1. The circulator's signature, address, or printed name is missing from petition page:

    Invalidate each signature individually on the petition page. See Election Law Article, Section 6-204(b); COMAR 33.06.03.07B. Use code CI

2. The date of the circulator's signature is missing or incorrect:

    Invalidate each signature individually on the petition page. Use code CI

3. The circulator's signature is a photocopy, not an original:

    Invalidate each signature individually on the petition page. Use code CI

4. The circulator does not have a Maryland address.

    Petition circulators may be residents of other states or list an out-of-state address on the petition form. Do not invalidate a signature page from an out-of-state circulator.

5. The circulator used a sticker to provide his/her name and address, but did not provide the telephone number:

    Use of a sticker or other means of pre-printing the circulator's information is permissible, provided (a) that the sticker contains all required information, including the telephone number (See COMAR 33.06.03.07B3), and (b) the circulator's signature is an original signature. If the telephone number is not provided, invalidate each signature individually on the petition page. Use code CI.

6. The circulator did not include their zip code in their address:

    Proceed with verification. The zip code is not required.

7. The circulator did not include their area code with their phone number:

    Invalidate each signature individually on the petition page. Use code CI

8. The oath of the circulator has been written on, circled or highlighted:

   Accept it, provided there is no indication that the circulator is trying to amend, limit, or qualify all or part of the oath. If the circulator's oath has been written on or marked in order to alter the attestation, invalidate each signature individually on the petition page. Use code CI.

9. The bill text or summary is not <u>printed on the back</u> of the petition page and is not attached to the page by staple, tape, etc.

   Invalidate each signer's name individually on the petition page. Use code PF

10. The bill text or summary is not printed on the back of the petition page, but it is attached (stapled, taped, etc).

    Invalidate each signer's name individually on the petition page. Use code TA (UPDATED 5/11/12)

11. The signature page has more entries than are provided for on the petition form being used (i.e. more than five on the new form, more than ten on the prior form).

    The preprocessing stage of the petition determined how the additional signature(s) will be handled.
    a) Pre-Processor stage – Assuming the batch has not been "Completed," the person pre-processing the batch will add an additional page at the end of the batch to accommodate overflow signatures (it is permissible to add a 26th page (or more) to the batch if needed.
    b) Process Signature stage – The batch was "Completed" by the pre-processor and the batch's line and page numbers cannot be changed. Therefore SBE will need to create a new batch for your LBE to accommodate the page overflow. Contact SBE to obtain a new batch and batch number.
    *Note during Process Signatures that the overflow signature line should be invalidated. Use code SI

12. How must the signer's signature appear on the petition?

    Election Law, Section 6-203 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 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, then the signature is to be accepted. If the signer has a hyphenated name in their registration record, the signature is acceptable as long as one of the surnames of registration and at least one full given name and the initials of any other names are provided.

13. The signer has a hyphenated name in their registration record, but signed not using the hyphenated name. Can we accept the signature?

     Using the criteria in question #11, as long as the signer provided ONE OF THE SURNAMES of registration and at least one full given name and the initials of any other names, the signature is accepted.

14. The signer uses initials or nickname:

     Nicknames are not permissible, unless that is the name listed on the statewide voter registration list. If the signer has used a nickname instead of a full given name (and has not registered that way), invalidate that name only. (See previous question)   If the signer is registered in MDVOTERS with a nickname and prints/signs with a full name (other than the nickname), that form of signature is also acceptable. Election Law, Section 6-203 allows the voter to sign using a full given name OR the registration name.

15. The signer's printed name is missing:

     Check to see whether the signature itself clearly contains all the information required under 6-203(a). If it does not, invalidate that name only. Use code NS

16. The signer's signature is missing:

     Invalidate that name only. Use code SI

17. The signer's birth date is missing:

     Date of birth information on a petition is optional. A signer's failure to provide this information does not invalidate the signature entry. COMAR 33.06.03.06C(2).

18. The signer's birth date does not match voter registration records:

     Accept the entry if the identity of voter can be determined from the name and address information provided by the signer. (COMAR 33.06.03.06.C(2)) The birth date should be verified with the signer for purposes of updating the voter registration list.

19. The date of the signature is missing:

     Invalidate that name only. Use code DI

20. The date of the circulator's signature is prior to date of signature:

     Invalidate that name only.   Use code DI

21. The signer's address is missing:

     Invalidate that name only. Use code SI

22. A signer took up more than one line. Arrows point from one row to the other that has the other information. What should I do?

    Code the line(s) that do not contain the signature as "blank." The line containing the signature should be coded appropriately.

23. The address does not match that of the registration:

    Accept it if the identity of voter can be determined from the other information provided on the petition - follow change of address procedures.

24. A signer has listed an out of state address. How do we handle this?

    Since the voter provided the out of state address in the "Permanent Residence Address" field and signed the document, invalidate the signature and cancel the voter. Use code MVO – Moved Out of State.

25. The petition signer has provided a name change. May the registration record be changed?

    No. The only information on a voter registration record that can be changed from a petition page is a voter's address. Invalidate that name only. Use code NS

26. During the verification process a signer's voter registration status is "pending". May the signature be accepted?

    No. "Pending" applicants are not considered registered voters and should be marked as NR. When reviewing the records of "pending" signers, check to see if there are any verification issues that can be resolved. This would include SSN verification or any additional information added to the record, but not processed. See question #26 for "Pending Underage" voters.

27. MDVOTERS tells me that a 17 year old should be rejected. Should I invalidate it?

    Please confirm that the voter will be 18 by the General Election. If so, change the petition signature status to Accepted with the appropriate reason as long as age is the ONLY reason for the Pending status. If not, invalidate that name only. Use code NR

28. An inactive voter signed the petition. Does the voter registration record need to be manually updated to Active?

    Yes. Credit the voter with signing the petition, make all indicated changes to the voter record, and manually update the voter's status to Active.

29. The signer registered to vote after signing the petition:

    Invalidate that name only. A signer must be registered at the time of signing the petition and when the petition is verified and counted. Use code NR

30. The signer has since cancelled registration, died, or been convicted of a felony crime:

     If the signer was removed from the statewide voter registration list after the date of signing the petition, invalidate that name only. Use code NR

31. There are signatures on the back of the petition page:

     Invalidate each signature individually on the back of the petition page. Use code SI
     Accept the signatures on the front of the petition page if they are deemed valid.

32. Can a signature be removed from a petition?

     Yes. Prior to the filing of the petition, a signer may request in writing to have his or her name removed. Alternatively, the circulator who attested to a signature or the petition sponsor may remove a signature prior to filing the petition with the election authority if a signature does not satisfy the requirements of Title 6 of the Election Law Article. See Election Law, Section 6-203(c) for the process.

     If a signature is removed by election officials at the request of the signer – use code SI and make note in the comment box that the signer requested that their name be removed; the removal request must be scanned and attached to the appropriate voter record in MDVOTERS.

33. There are more signature pages than the allotted batches in MDVOTERS. Can I add a batch?

     SBE adds additional batches through System Configuration. Please contact Stacey Johnson, Janet Smith or Roger Stitt to request additional batch numbers.

34. I accidentally validated a name on the wrong line/page in MDVOTERS.

     The wrong information can be overwritten if there is information for that line. If no information should have been entered on that line, invalidate it – use code NR. If it is not within the same petition – use code WP (Wrong Petition).

35. I received a page/name that is not within my jurisdiction. Should I verify it or send it to the appropriate LBE?

     Process the page or name whether or not it is from within your jurisdiction.

36. What should I do if the voter provides a change of address for another jurisdiction?

     Copy the petition page and forward the copy to the county of residence for voter record transfer.

37. I found pages that did not belong in this petition. What do I do?

     Contact SBE for guidance.

38. Do we need to time stamp the pages as we process them?

    No.

39. Can a petition organization obtain a copy of signature verification guidelines?

    Yes. They are posted on SBE's website.

40. Is it permissible for a representative of the petition organization or the opposition to the petition to be present at the election office during the verification process?

    No. Verification of the petitions is a staff function of the election office and does not involve any meeting of a public body. Therefore, the Open Meetings Act does not apply. The State Board has adopted a policy against any local board voluntarily opening the verification process to public observation.

41. What is the deadline for the election office to certify results of petition verification?

    Within 20 calendar days after filing of the petition. Election Law, Section 6-210(c).

42. When can election offices make results of their verification public?

    Within 2 business days of the completion of the verification and counting process the election office shall notify the results to proper governmental authorities and candidate or petition filers.

43. Whose responsibility is it to notify the petition candidate or petition organization of the verification results?

    New Party - *State Board*
    Statewide Referendum - *State Board*
    Public Local Law Referendum - *State Board*
    Nominating - *County Board if local filed candidate - State Board if State filed candidate*
    Presidential Primary – *State Board*
    Presidential General – *State Board*
    Charter Amendment - *County Board*
    Charter Board - *County Board*
    Local Referendum - *County Board*

44. When do the petitions become public records?

    At the conclusion of the verification process.   For petitions that have been filed at the State level, the results of the petition verification will be posted on the State Board of Elections website at www.elections.state.md.us.

45. I have a signature that could be rejected for multiple reasons. What reason should I use?

Assign rejection codes in the following order:

Full Page Issues:
1. **CI – Circulator Issue (all signatures on page will be rejected)**
2. **PF – Petition Format (all signatures on page will be rejected)**
3. **TA – Text Attached (all signatures on page will be rejected)**

Individual Signature Issues:
1. **NR – Not Registered**
2. **DUP – Duplicate Name**
3. **DI – Signer Date Issue**
4. **SI – Signature Issue**
5. **NS – Name Standard**
6. **WA – Invalid New Address**