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Date: (Filing No. H- )

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 672, L.D. 916, “An Act To Protect Data Privacy and Security in Elections”

Amend the bill by inserting after the title and before the enacting clause the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the central voter registration system maintained by the State contains voter registration data, including names, dates of birth, mailing addresses and other personally identifiable information, for all registered voters within the State; and

**Whereas,** the employment of best practices regarding data security and privacy is necessary to protect voter information from increasing cybersecurity threats; and

**Whereas,** unregulated public disclosure of voter registration information may discourage and deter Maine residents from exercising their right to vote; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 21-A MRSA §196-A, sub-§1, ¶B,** as amended by PL 2015, c. 447, §7, is further amended to read:

B. A political party, or an individual or organization engaged in so-called "get out the vote" efforts directly related to a campaign or other activities directly related to a campaign, or an individual who has been elected or appointed to and is currently serving in a municipal, county, state or federal office, may purchase a list or report of certain voter information from the central voter registration system by making a request to the Secretary of State or to a registrar if the information requested concerns voters

**COMMITTEE AMENDMENT**

1 in that municipality. The Secretary of State or the registrar shall make available the  
2 following voter record information, subject to the fees set forth in subsection 2: the  
3 voter's name, residence address, mailing address, year of birth, enrollment status,  
4 electoral districts, voter status, date of registration, date of change of the voter record  
5 if applicable, voter participation history, voter record number and any special  
6 designations indicating uniformed service voters, overseas voters or township voters.  
7 ~~Any person obtaining, either directly or indirectly, information from the central voter~~  
8 ~~registration system under this paragraph may not sell, distribute or use the data for any~~  
9 ~~purpose that is not directly related to activities of a political party, "get out the vote"~~  
10 ~~efforts directly related to a campaign or other activities directly related to a campaign.~~  
11 ~~This paragraph does not prohibit political parties, party committees, candidate~~  
12 ~~committees, political action committees or any other organizations that have purchased~~  
13 ~~information from the central voter registration system from providing access to such~~  
14 ~~information to their members for purposes directly related to party activities, "get out~~  
15 ~~the vote" efforts or a campaign. For purposes of this paragraph, "campaign" has the~~  
16 ~~same meaning as in section 1052, subsection 1. A person obtaining, either directly or~~  
17 ~~indirectly, information from the central voter registration system under this paragraph~~  
18 ~~may not:~~

19 (1) Sell, transfer to another person or use the voter information or any part of the  
20 voter information for any purpose that is not directly related to activities of a  
21 political party, "get out the vote" efforts directly related to a campaign or other  
22 activities directly related to a campaign; or

23 (2) Cause the voter information or any part of the voter information that identifies,  
24 or that could be used with other information to identify, a specific voter, including  
25 but not limited to a voter's name, residence address or street address, to be made  
26 accessible by the general public on the Internet or through other means.

27 This paragraph does not prohibit a political party, party committee, candidate  
28 committee, political action committee or any other organization that purchased voter  
29 information from the central voter registration system from providing access to such  
30 information to its members, volunteers or employees for purposes directly related to  
31 party activities, "get out the vote" efforts or a campaign. For purposes of this paragraph,  
32 "campaign" has the same meaning as in section 1052, subsection 1.

33 **Sec. 2. 21-A MRSA §196-A, sub-§1, ¶J** is enacted to read:

34 J. An individual or organization that is evaluating the State's compliance with its voter  
35 list maintenance obligations may, consistent with the National Voter Registration Act  
36 of 1993, 52 United States Code, Section 20507(i) (2021), purchase a list or report of  
37 the voter information described in paragraph B from the central voter registration  
38 system by making a request to the Secretary of State and paying the fee set forth in  
39 subsection 2. A person obtaining, either directly or indirectly, voter information from  
40 the central voter registration system under this paragraph may not:

41 (1) Sell, transfer to another person or use the voter information or any part of the  
42 information for any purpose that is not directly related to evaluating the State's  
43 compliance with its voter list maintenance obligations; or

44 (2) Cause the voter information or any part of the voter information that identifies,  
45 or that could be used with other information to identify, a specific voter, including

1 but not limited to a voter's name, residence address or street address, to be made  
2 accessible by the general public on the Internet or through other means.

3 **Sec. 3. 21-A MRSA §196-A, sub-§4** is enacted to read:

4 **4. Discrimination prohibited.** An individual or organization that accesses or obtains  
5 voter information from the central voter registration system may not use that information  
6 or any part of that information to engage in discrimination on the basis of physical or mental  
7 disability, race, color, age, sex, sexual orientation, religion, ancestry or national origin,  
8 including but not limited to discrimination prohibited by the Maine Human Rights Act and  
9 federal civil rights laws. For purposes of this paragraph, "federal civil rights laws" means  
10 the following federal laws and statutes, as amended, and the regulations promulgated under  
11 those laws and statutes, as amended, as of January 1, 2021:

12 A. Title II of the federal Americans with Disabilities Act of 1990, 42 United States  
13 Code, Sections 12131 to 12165;

14 B. Section 504 of the federal Rehabilitation Act of 1973, 29 United States Code,  
15 Section 794;

16 C. Title VI of the federal Civil Rights Act of 1964, 42 United States Code, Sections  
17 2000d to 2000d-7;

18 D. The federal Older Americans Amendments of 1975, 42 United States Code,  
19 Sections 6101 to 6107; and

20 E. Title IX of the federal Education Amendments of 1972, 20 United States Code,  
21 Sections 1681 to 1688.

22 **Sec. 4. 21-A MRSA §196-A, sub-§5** is enacted to read:

23 **5. Penalty.** A person who:

24 A. Violates subsection 1 or subsection 4 commits a civil violation for which a fine of  
25 not more than \$1,000 may be adjudged; and

26 B. Violates subsection 1 or subsection 4 after having previously violated either  
27 subsection 1 or subsection 4 commits a civil violation for which a fine of not more than  
28 \$5,000 may be adjudged.

29 For purposes of this subsection, each voter's information that a person causes to be made  
30 accessible to the general public in violation of subsection 1, paragraph B or J constitutes a  
31 separate offense.

32 **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
33 takes effect when approved.'

34 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
35 number to read consecutively.

## 36 SUMMARY

37 This amendment, which is the majority report of the committee, strikes and replaces  
38 the bill, which is a concept draft, and makes the following changes to the laws governing  
39 access to voter information from the central voter registration system.

