

Title 01

EXECUTIVE DEPARTMENT

Subtitle 02 SECRETARY OF STATE

01.02.11 Maryland Safe at Home Address Confidentiality Program

Authority: Authority: Real Property Article, §§3-114—3-120; State Government Article, §§7-301—7-313; Annotated Code of Maryland

Notice of Proposed Action

[24-128-P]

The Secretary of State proposes to amend Regulations .03 and .11 under **COMAR 01.02.11 Maryland Safe at Home Address Confidentiality Program**.

Statement of Purpose

The purpose of this action is to clarify residency requirements for individuals seeking to apply to the program and to clarify the eligibility criteria for reinstatement following a previous program cancellation. This action adds program eligibility for participants who have not been previously cancelled for non-compliance, and confirms existing practice for participants to remain eligible for participation when they are in the process of relocating due to their address becoming public. It also updates the returned mail requirements for participants to maintain their program eligibility.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Eileen Hammack, Deputy Director, Office of the Secretary of State, Address Confidentiality Program, 16 Francis Street, Annapolis, MD 21401, or call 410-260-3875, or email to eileen,hammack@maryland.gov. Comments will be accepted through November 18, 2024. A public hearing has not been scheduled.

.03 Who May Apply.

Beginning October 1, 2006, an individual may apply to participate in the Program. To be designated as a participant in the Program, the individual shall:

A. (text unchanged)

B. Be a present or future *primary* resident of Maryland;

C. (text unchanged)

D. Have recently relocated or intend to relocate within 30 days from the date of application to an address unknown to the abuser and, at the time of application, not readily accessible to the general public, according to the discretion of the Secretary; [and]

E. Submit evidence satisfactory to the Secretary of threatened, attempted, or actual domestic violence, sexual assault, stalking, harassment, or human trafficking [satisfactory to the Secretary.]; *and*

F. *Not have been previously cancelled from the Program for non-compliance with Program obligations as set forth in State Government Article, §7-307(a)(1), (3), and (4), Annotated Code of Maryland and these regulations.*

.11 Cancellation from Program.

A. (text unchanged)

B. [Under State Government Article, §7-307(a)(4), Annotated Code of Maryland, if the Secretary forwards mail to a participant and it is returned three times in succession as undeliverable, then the Secretary shall cancel the participant from the Program.] *The Secretary may cancel the participation of a participant if mail forwarded by the Secretary to the participant's address is returned as undeliverable by the United States Postal Service.*

C. Under State Government Article, §7-307(a)(5), Annotated Code of Maryland, if the Secretary determines that the actual address of a participant is readily accessible to the general public, the Secretary shall notify the participant of the determination and intent to cancel participation. The participant may remain in the Program if they intend to relocate within 30 days, *or longer upon written request and determination by the Secretary that additional time is needed to relocate*, to an address unknown to the abuser and not readily accessible to the general public.

D. A program participant whose participation is cancelled under State Government Article, §7-307(a)(5), Annotated Code of Maryland may be eligible to reapply for participation if:

(1) Their address became known or publicly available through no fault of their own, and they were otherwise in compliance with Program rules and regulations;

(2) They have relocated to an address that is unknown to the abuser and not readily accessible to the general public; and

(3) They meet all other eligibility requirements under Regulation .03 of this chapter.