
By: Chairman, Commerce and Government Matters Committee (Departmental - Elections, State Board of)

Introduced and read first time: January 15, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Voter Registration Application Deadline**3 FOR the purpose of providing that an application for voter registration is timely if it is
4 postmarked on or before the registration deadline, regardless of the date of receipt.5 BY repealing and reenacting, with amendments,
6 Article 33 - Election Code
7 Section 3-8(a)
8 Annotated Code of Maryland
9 (1993 Replacement Volume and 1996 Supplement)10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:12 **Article 33 - Election Code**

13 3-8.

14 (a) (1) Except as provided in § 2-9(e) of this article and paragraph (2) of this
15 subsection, no person may register:16 (i) Between 9 p.m. on the 5th Monday preceding a primary or special
17 primary election and the 11th day after that election; or18 (ii) Between 9 p.m. on the 5th Monday preceding a general or special
19 election and the 16th day following that election.20 (2) (i) A voter registration application which is received by mail by any
21 local board or by the State Administrative Board of Election Laws shall be considered as
22 received timely for registration for the next election provided:23 1. It is received prior to the deadline for registration
24 established in paragraph (1) of this subsection; or25 2. A. It was either mailed on or before the 5th Monday
26 preceding a primary, special primary, or general election or, if that Monday is a legal
27 public holiday as set out in 5 U.S.C. § 6103(a), on or before the 4th Tuesday preceding a
28 primary, special primary, or general election; AND

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1 B. The United States Postal Service, or the postal service of any
2 other country, has provided verification of that fact by affixing a mark so indicating on the
3 covering envelope; and

4 C. The application is received by 4 p.m. on the fourth
5 Wednesday preceding the election involved].

6 (ii) An application received [after the applicable deadline] WITH AN
7 UNTIMELY POSTMARK shall be accepted, but the registration of the applicant may not
8 become effective until the registration records are next open pursuant to this subsection.

9 (iii) For the purposes of subparagraph (i)2 of this paragraph as it
10 applies to applications received from outside the United States, as defined in § 27-9(d)(4)
11 of this article, the applicant's affidavit that the application was completed and mailed
12 before the applicable deadline shall suffice to establish that the application was timely
13 mailed if:

14 1. The postal service of the country from which the application
15 was mailed does not provide a postmark; or

16 2. The application is received from a private mail service.

17 (3) In the case of a registration application received by the Motor Vehicle
18 Administration or by a voter registration agency designated by the State Administrative
19 Board of Election Laws, the application is timely if it is received by the Administration or
20 agency by the close of business on the fifth Monday preceding an election.

21 (4) Each applicant to register to vote shall be notified of the disposition of
22 the application.

23 (5) Any registered voter who moves from the address specified in the voter's
24 registration or changes his name, within 30 days thereafter, shall notify the Board of the
25 voter's former and new addresses or former and new names, as the case may be.

26 (6) Timely receipt of a voter registration application by any local board or by
27 the State Administrative Board of Election Laws shall be deemed timely receipt by the
28 local board in the county in which the applicant's residence is located.

29 (7) Any voter registration application received by the State Administrative
30 Board of Election Laws shall be forwarded immediately to the local board in the county
31 in which the applicant's residence is located.

32 (8) Any voter registration application received by a local board for a county
33 in which the applicant does not reside shall, if the applicant resides in the State, be
34 forwarded immediately to the local board in the county in which the applicant's residence
35 is located.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 October 1, 1997.