
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

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 1997

CHAPTER ____

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; or

18 (ii) Between 9 p.m. on the 5th Monday preceding a general or special
19 election and the 16th day following that election.

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1 (2) (i) A voter registration application which is received by mail by any
2 local board or by the State Administrative Board of Election Laws shall be considered as
3 received timely for registration for the next election provided:

4 1. It is received prior to the deadline for registration
5 established in paragraph (1) of this subsection; or

6 2. A. It was either mailed on or before the 5th Monday
7 preceding a primary, special primary, or general election or, if that Monday is a legal
8 public holiday as set out in 5 U.S.C. § 6103(a), on or before the 4th Tuesday preceding a
9 primary, special primary, or general election; AND

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

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

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

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

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

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

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

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

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

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

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

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

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