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HB 447/95 - CGM

1997 Regular Session
7r0008

By: Delegates Pitkin, Conroy, and Hubbard

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Voters - Accompaniment in Voting Booth or Machine**

3 FOR the purpose of altering the maximum permissible age of a minor who accompanies
4 a voter in a voting booth or machine under certain circumstances.

5 BY repealing and reenacting, with amendments,
6 Article 33 - Election Code
7 Section 16-12
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 16-12.

14 (a) With the aid of the diagrams authorized in § 16-10(c)(1) of this article and the
15 mechanically operated model, the judges, if requested by the voter, shall instruct each
16 such voter, before he enters the voting machine booth, regarding the operation of the
17 machine, and shall give the voter opportunity personally to operate the model.

18 (b) Any voter who requires assistance to vote by reason of blindness, disability, or
19 inability to read the English language or write may be given assistance by a person of the
20 voter's choice, not to include the voter's employer or agent of that employer or officer or
21 agent of the voter's union.

22 (c) (1) Assistance in marking their ballots or operating a voting machine shall
23 be given to voters who shall declare under oath to the judges that by reason of blindness,
24 disability, or inability to read the English language or write they are unable without
25 assistance to mark their ballots or operate the voting machine. No ballot shall be marked
26 under this section or voting machine operated until a majority of the judges shall be
27 satisfied of the truth of the fact stated in such affidavit. Upon making and filing with the
28 judges such affidavit, the voter shall retire to one of said booths or voting machines with
29 any person of the voter's choice, not to include the voter's employer or agent of that
30 employer or officer or agent of the voter's union, or with two judges of opposite political
31 parties. Then and there the person whom the voter has selected, or in case the voter has

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1 selected no one, one of said judges in the presence of the other, shall mark the ballot or
2 operate the voting machine as such voter shall direct. The only assistance which it shall be
3 lawful for said person or for the said judges to give the voter is to mark the ballot or
4 operate the voting machine, as the voter shall direct, without prompting or suggestion
5 from them, or either of them.

6 (2) If, however, any voter, after entering the voting machine booth, shall ask
7 for further instructions concerning the manner of voting, then two of the judges of
8 opposite political parties shall give him such instructions, but no such judge shall, in any
9 manner, request, or suggest, or seek to persuade or induce any such voter to vote any
10 particular ticket, or for any particular candidate, or for or against any particular question.
11 After giving such instructions, the judges shall retire, and the voter shall forthwith vote.

12 (d) A voter may not be accompanied into a voting booth or voting machine by any
13 person over the age of [five] 16 years unless the affidavit required by subsection (c) has
14 been accepted by the election judges.

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