

HOUSE BILL 495

Unofficial Copy
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2001 Regular Session
(11r0859)

ENROLLED BILL

-- Commerce and Government Matters/Economic and Environmental Affairs --

Introduced by **Delegates Hill, R. Baker, Benson, Branch, Brown, Burns, Cole,
C. Davis, D. Davis, Fulton, Gladden, Howard, A. Jones, V. Jones,
Montague, Nathan-Pulliam, Oaks, Paige, Patterson, Phillips, Proctor,
Rawlings, Kirk, and Swain**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 481

1 AN ACT concerning

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3
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**Task Force to Study Repealing the Disenfranchisement of Convicted Felons in
Maryland**

5 FOR the purpose of ~~altering the qualifications for voter registration to allow certain~~
6 ~~felons who have been convicted of certain crimes more than once but who have~~
7 ~~completed the sentence imposed, including any probation, who otherwise are~~
8 ~~qualified to be registered voters, and if a certain period of time has elapsed, to~~
9 ~~register to vote, provided a certain additional period beyond the completion of~~
10 ~~the sentence imposed has elapsed; prohibiting certain felons who are convicted~~
11 ~~of certain crimes of violence from being deemed qualified to be registered voters~~
12 ~~an individual who has been convicted of a certain crime to qualify to be a~~
13 ~~registered voter if the individual has completed the sentence imposed for the~~
14 ~~conviction, including probation; and generally relating to the rights of certain~~

1 ~~felons qualifications of individuals to register to vote in the State~~ *establishing a*
2 *Task Force to Study Repealing the Disenfranchisement of Convicted Felons;*
3 *specifying the composition, powers, and duties of the Task Force; providing for*
4 *the staffing of the Task Force; requiring the Task Force to report its findings and*
5 *recommendations to the Governor and the General Assembly by a certain date;*
6 *and generally relating to a Task Force to Study Repealing the*
7 *Disenfranchisement of Convicted Felons in Maryland.*

8 ~~BY repealing and reenacting, with amendments,~~
9 ~~Article 33—Election Code~~
10 ~~Section 3-102~~
11 ~~Annotated Code of Maryland~~
12 ~~(1997 Replacement Volume and 2000 Supplement)~~

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 (a) *There is a Task Force to Study Repealing the Disenfranchisement of*
16 *Convicted Felons in Maryland.*

17 (b) *The Task Force shall consist of the following 11 members:*

18 (1) *two members of the Senate of Maryland, appointed by the President of*
19 *the Senate;*

20 (2) *two members of the House of Delegates, appointed by the Speaker of*
21 *the House of Delegates;*

22 (3) *the Chairman of the State Board of Elections, or the Chairman's*
23 *designee;*

24 (4) *the Director of the Maryland Division of Parole and Probation, or the*
25 *Director's Designee;*

26 (5) *a member of the Maryland Attorney General's Office, appointed by the*
27 *Attorney General;*

28 (6) *the President of the Maryland Chapter of the National Association for*
29 *the Advancement of Colored People, or the President's designee;*

30 (7) *the President of the Baltimore Urban League, or the President's*
31 *designee;*

32 (8) *the President of the League of Women Voters of Maryland, or the*
33 *President's designee; and*

34 (9) *a representative of a victims' rights group, appointed by the Governor.*

35 (c) *The Chairman of the Task Force shall be designated jointly by the President*
36 *of the Senate and the Speaker of the House of Delegates.*

1 *(d) The Task Force shall study the national consensus as it relates to felons*
 2 *convicted more than once for crimes other than voter fraud, and how such convictions*
 3 *affect their right to vote.*

4 *(e) The State Board of Elections and the Maryland Attorney General's Office*
 5 *shall provide staff for the Task Force.*

6 *(f) On or before December 31, 2001, the Task Force shall report its findings to*
 7 *the Governor and, subject to § 2-1246 of the State Government Article, to the General*
 8 *Assembly for consideration by the General Assembly in the 2002 Session.*

9 **Article 33 – Election Code**

10 ~~3-102.~~

11 (a) Except as provided in ~~subsection (b)]~~ SUBSECTIONS (B) AND (C) of this
 12 section, an individual may become registered to vote if the individual:

13 (1) Is a citizen of the United States;

14 (2) Is at least 18 years old or will be 18 years old on or before the day of
 15 the next succeeding general or special election;

16 (3) Is a resident of the county as of the day the individual seeks to
 17 register; and

18 (4) Registers pursuant to this title.

19 (b) An individual is not qualified to be a registered voter if the individual:

20 (1) Has been convicted of theft or other infamous crime, unless the
 21 individual:

22 (i) Has been pardoned; or

23 (ii) 1. In connection with a first conviction, has HAS completed
 24 the sentence imposed for the conviction, including probation; OR

25 2. IN CONNECTION WITH A SUBSEQUENT CONVICTION, HAS
 26 COMPLETED THE SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING
 27 PROBATION, AND AT LEAST 5 YEARS HAVE ELAPSED SINCE THE COMPLETION OF THE
 28 SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING PROBATION;

29 (2) Is under guardianship for mental disability; or

30 (3) Has been convicted of buying or selling votes.

31 (C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL
 32 WHO HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AS DEFINED UNDER ARTICLE
 33 27, § 643B OF THE CODE IS NOT QUALIFIED TO BE A REGISTERED VOTER.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 ~~October~~ July 1, 2001.