
By: **Delegate Rosenberg**

Introduced and read first time: February 1, 2006

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2006

CHAPTER_____

1 AN ACT concerning

2 **Voters' Rights Protection Act - Clarification**

3 FOR the purpose of clarifying the circumstances under which and locations in which
4 a person is prohibited from attiring or equipping an individual, or permitting an
5 individual to be attired or equipped, in a certain manner in connection with an
6 election; providing for a certain penalty; and generally relating to clarifying a
7 certain provision of the Voters' Rights Protection Act.

8 BY repealing and reenacting, with amendments,
9 Article - Election Law
10 Section 16-903
11 Annotated Code of Maryland
12 (2003 Volume and 2005 Supplement)
13 (As enacted by Chapter 4 of the Acts of the General Assembly of 2006)

14 BY adding to
15 Article - Election Law
16 Section 16-1003
17 Annotated Code of Maryland
18 (2003 Volume and 2005 Supplement)

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

1

Article - Election Law

2 16-903.

3 (a) Except as provided in subsection (b) of this section, ON ELECTION DAY AT
4 A POLLING SITE OR WITHIN AN AREA SURROUNDING THE POLLING SITE ~~PRESCRIBED~~
5 ~~BY THE STATE BOARD AS PROVIDED UNDER § 16-206(B) OF THIS TITLE~~, a person may
6 not attire or equip an individual, or permit an individual to be attired or equipped, in
7 a manner which creates the appearance that the individual is performing an official
8 or governmental function in connection with an election, including:

9 (1) wearing a public or private law enforcement or security guard
10 uniform;

11 (2) using an armband; or

12 (3) except as required by law or by regulation adopted by the State Board
13 in connection with ballot security activities, carrying or displaying a gun or badge
14 within 100 feet of a polling site on election day.

15 (b) (1) A law enforcement officer or security guard who is on duty or
16 traveling to or from duty may vote while wearing a uniform.

17 (2) a law enforcement officer who is performing an official governmental
18 function may wear a uniform at a polling site.

19 (c) A person who violates this section is subject to the civil penalty specified
20 under § 16-1002 of this title.

21 (D) A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS SUBJECT TO THE
22 PENALTY SPECIFIED UNDER § 16-1003 OF THIS TITLE.

23 16-1003.

24 A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES § 16-903 OF THIS TITLE
25 IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT
26 MORE THAN \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2006.

