

# HOUSE BILL 201

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CONSTITUTIONAL AMENDMENT

71r0384

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By: **The Speaker and Delegates Hixson, Barve, Cardin, Doory, Ivey, N. King, and Ross**

Introduced and read first time: January 26, 2007

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Elective Franchise – Authority to Establish Early Voting**

3 FOR the purpose of authorizing the General Assembly to provide by suitable  
4 enactment a process to allow voters to vote at certain polling places in certain  
5 locations and on certain days prior to certain election dates; making stylistic  
6 changes; and submitting this amendment to the qualified voters of the State of  
7 Maryland for their adoption or rejection.

8 BY proposing an amendment to the Maryland Constitution  
9 Article I – Elective Franchise  
10 Section 1 and 3

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
13 concurring), That it be proposed that the Maryland Constitution read as follows:

14 **Article I – Elective Franchise**

15 1.

16 All elections shall be by ballot. [Every] **EXCEPT AS PROVIDED IN SECTION 3**  
17 **OF THIS ARTICLE, EVERY** citizen of the United States, of the age of 18 years or  
18 upwards, who is a resident of the State as of the time for the closing of registration  
19 next preceding the election, shall be entitled to vote in the ward or election district in  
20 which [he] **THE CITIZEN** resides at all elections to be held in this State. A person once

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 entitled to vote in any election district, shall be entitled to vote there until [he] **THE**  
2 **PERSON** shall have acquired a residence in another election district or ward in this  
3 State.

4 3.

5 (A) The General Assembly [of Maryland] shall have **THE** power to provide by  
6 suitable enactment for voting by qualified voters of the State of Maryland who are  
7 absent at the time of any election in which they are entitled to vote [and], for voting  
8 by other qualified voters who are unable to vote personally, **OR FOR VOTING BY**  
9 **QUALIFIED VOTERS WHO MIGHT OTHERWISE CHOOSE TO VOTE BY ABSENTEE**  
10 **BALLOT**, and for the manner in which and the time and place at which such [absent]  
11 voters may vote, and for the canvass and return of their votes.

12 (B) **THE GENERAL ASSEMBLY SHALL HAVE THE POWER TO PROVIDE BY**  
13 **SUITABLE ENACTMENT A PROCESS TO ALLOW QUALIFIED VOTERS TO VOTE AT**  
14 **POLLING PLACES IN OR OUTSIDE THEIR ELECTION DISTRICTS OR WARDS, AND**  
15 **ON DAYS PRIOR TO THE DATES SPECIFIED IN THIS CONSTITUTION.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
17 determines that the amendment to the Maryland Constitution proposed by this Act  
18 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the  
19 Maryland Constitution concerning local approval of constitutional amendments do not  
20 apply.

21 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
22 proposed as an amendment to the Maryland Constitution shall be submitted to the  
23 legal and qualified voters of this State at the next general election to be held in  
24 November, 2008 for their adoption or rejection pursuant to Article XIV of the  
25 Maryland Constitution. At that general election, the vote on this proposed amendment  
26 to the Constitution shall be by ballot, and upon each ballot there shall be printed the  
27 words "For the Constitutional Amendment" and "Against the Constitutional  
28 Amendment," as now provided by law. Immediately after the election, all returns shall  
29 be made to the Governor of the vote for and against the proposed amendment, as  
30 directed by Article XIV of the Maryland Constitution, and further proceedings had in  
31 accordance with Article XIV.