

HOUSE BILL 201

G1

CONSTITUTIONAL AMENDMENT

71r0384

By: **The Speaker and Delegates Hixson, Barve, Cardin, Doory, Ivey, N. King, and Ross, Ross, Beidle, Benson, Branch, Bronrott, Cane, V. Clagett, Conway, Davis, Dumais, Gaines, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Harrison, Haynes, Healey, Hecht, Howard, Hucker, Jameson, Jones, Kaiser, Kirk, Krysiak, Lawton, Lee, Levi, Love, Manno, Mizeur, Montgomery, Murphy, Olszewski, Pena-Melnyk, Pendergrass, Proctor, Ramirez, Rice, Sophocleus, Stukes, Tarrant, F. Turner, Valderrama, Waldstreicher, and Walker**

Introduced and read first time: January 26, 2007

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 14, 2007

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

4 **Article I – Elective Franchise**

5 1.

6 All elections shall be by ballot. [Every] **EXCEPT AS PROVIDED IN SECTION 3**
7 **OF THIS ARTICLE, EVERY** citizen of the United States, of the age of 18 years or
8 upwards, who is a resident of the State as of the time for the closing of registration
9 next preceding the election, shall be entitled to vote in the ward or election district in
10 which [he] **THE CITIZEN** resides at all elections to be held in this State. A person once
11 entitled to vote in any election district, shall be entitled to vote there until [he] **THE**
12 **PERSON** shall have acquired a residence in another election district or ward in this
13 State.

14 3.

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

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

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

31 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
32 proposed as an amendment to the Maryland Constitution shall be submitted to the
33 legal and qualified voters of this State at the next general election to be held in

1 November, 2008 for their adoption or rejection pursuant to Article XIV of the
2 Maryland Constitution. At that general election, the vote on this proposed amendment
3 to the Constitution shall be by ballot, and upon each ballot there shall be printed the
4 words “For the Constitutional Amendment” and “Against the Constitutional
5 Amendment,” as now provided by law. Immediately after the election, all returns shall
6 be made to the Governor of the vote for and against the proposed amendment, as
7 directed by Article XIV of the Maryland Constitution, and further proceedings had in
8 accordance with Article XIV.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.