

HOUSE BILL 310

G1

CONSTITUTIONAL AMENDMENT

8lr1221
CF SB 92

By: **Delegates Rosenberg and Cardin**

Introduced and read first time: January 24, 2008

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2008

CHAPTER _____

1 AN ACT concerning

2 ~~Elective Franchise – Youth Voter Registration and Participation in Elections~~
3 Elections – Voter Registration and Voting – Age

4 FOR the purpose of ~~authorizing certain citizens who are less than 18 years old to~~
5 ~~register to vote; authorizing certain citizens who are less than 18 years old to~~
6 ~~vote in certain elections under certain circumstances; making stylistic changes;~~
7 ~~and submitting this amendment to the qualified voters of the State of Maryland~~
8 ~~for their adoption or rejection.~~ altering the qualifications for voter registration
9 to allow an individual who is at least 16 years old to register to vote; specifying
10 that an individual under the age of 18 years may vote in certain primary
11 elections but may not vote in any other elections; and generally relating to the
12 age when an individual becomes qualified to register to vote and to vote.

13 BY repealing and reenacting, with amendments,

14 Article – Election Law

15 Section 3–102

16 Annotated Code of Maryland

17 (2003 Volume and 2007 Supplement)

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

20 ~~BY proposing an amendment to the Maryland Constitution~~

21 ~~Article I – Elective Franchise~~

22 ~~Section 1~~

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 ~~(A) All elections shall be by ballot.~~

7 ~~(B) Every citizen of the United States, of the age of [18] 16 years or upwards,~~
 8 ~~who is a resident of the State, SHALL BE ENTITLED TO REGISTER TO VOTE.~~

9 ~~(C) EVERY CITIZEN OF THE UNITED STATES, OF THE AGE OF 17 YEARS~~
 10 ~~OR UPWARDS, WHO IS A REGISTERED VOTER OF THE STATE as of the time for the~~
 11 ~~closing of registration FOR THE next [preceeding the] PRIMARY election, shall be~~
 12 ~~entitled to vote IN THAT PRIMARY ELECTION, PROVIDED THE CITIZEN IS 18~~
 13 ~~YEARS OR UPWARDS AT THE TIME OF THE NEXT GENERAL ELECTION, in the ward~~
 14 ~~or election district in which [he] THE CITIZEN resides [at] AND FOR all elections~~
 15 ~~THEREAFTER THAT ARE to be held in this State.~~

16 ~~(D) A person once entitled to vote in any election district, shall be entitled to~~
 17 ~~vote there until [he] THE PERSON shall have acquired a residence in another election~~
 18 ~~district or ward in this State.~~

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

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

35 ~~Article – Election Law~~

36 ~~3-102.~~

1 (a) **(1)** Except as provided in subsection (b) of this section, an individual
2 may become registered to vote if the individual:

3 [(1)] (I) is a citizen of the United States;

4 [(2)] (II) is at least [18] **16** years old [or will be 18 years old on or
5 before the day of the next succeeding general or special election];

6 [(3)] (III) is a resident of the State as of the day the individual seeks to
7 register; and

8 [(4)] (IV) registers pursuant to this title.

9 **(2) NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION,**
10 **AN INDIVIDUAL UNDER THE AGE OF 18 YEARS:**

11 **(I) MAY VOTE IN A PRIMARY ELECTION IN WHICH**
12 **CANDIDATES ARE NOMINATED FOR A GENERAL OR SPECIAL ELECTION THAT**
13 **WILL OCCUR WHEN THE INDIVIDUAL IS AT LEAST 18 YEARS OLD; AND**

14 **(II) MAY NOT VOTE IN ANY OTHER ELECTION.**

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

16 (1) has been convicted of a felony and is actually serving a
17 court-ordered sentence of imprisonment, including any term of parole or probation, for
18 the conviction;

19 (2) is under guardianship for mental disability; or

20 (3) has been convicted of buying or selling votes.

21 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
22 **July 1, 2008.**

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.