

HB1179/923126/2

BY: Senator Kittleman

AMENDMENTS TO HOUSE BILL 1179
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “voting;” insert “requiring an election judge to require an individual who seeks to vote at an early voting center to present a certain identification card; requiring the statewide voter registration application to include a check box that allows the applicant to indicate that the applicant does not have a valid government issued identification card; requiring the local board of elections to send a certain letter to certain applicants; specifying that a certain applicant for an identification card for early voting purposes may not be charged a fee for the identification card by the Motor Vehicle Administration under certain circumstances;”.

On page 2, in line 16, after “1-101(x)” insert “, 3-301(d),”; in line 21, after “Section” insert “3-202(a),”; in line 26, after “Section” insert “3-301(a), (b), and (c) and”; and after line 28, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 12-301(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12-301(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)”.

(Over)

AMENDMENT NO. 2

On page 3, after line 8, insert:

“3-202.

(a) (1) The statewide voter registration application shall:

(i) require the signature of the applicant, subject to the penalties of perjury, by which the applicant swears or affirms that the information contained in the registration application is true and that the applicant meets all of the qualifications to become a registered voter;

(ii) state the penalties for the submission of a false application;
[and]

(iii) provide the applicant with the opportunity to cancel a current registration; AND

(IV) INCLUDE A CHECK BOX THAT ALLOWS THE APPLICANT TO INDICATE THAT THE APPLICANT DOES NOT HAVE A VALID GOVERNMENT ISSUED IDENTIFICATION CARD.

(2) The following information shall be made available to each applicant who is completing a statewide voter registration application:

(i) the qualifications to become a registered voter;

(ii) if an individual declines to register, this fact will remain confidential and be used only for voter registration purposes;

(iii) if an individual registers to vote, the office at which the application is submitted will remain confidential and will be used only for voter registration purposes; and

(iv) notification to the applicant that submission of the form to an individual other than an official, employee, or agent of a local board does not assure that the form will be filed or filed in a timely manner.

(3) The statewide voter registration application may not require:

(i) notarization or other formal authentication; or

(ii) any additional information, other than the information necessary to enable election officials to determine the eligibility of the applicant and to administer voter registration and other parts of the election process.

(4) (i) A statewide voter registration application shall be produced exclusively by the State Board.

(ii) No other registration form may be used for registration purposes except:

1. a voter registration application produced by a local board with the approval of the State Board;

2. as provided in subsection (b) of this section;

3. as provided in § 3-203(b) of this subtitle;

4. any other form prescribed by federal law for voter registration; or

5. a federal write-in absentee ballot if used by a voter authorized to vote a federal write-in absentee ballot under federal law.

3-301.

(a) When a voter registration application is received by a local board, the local board shall:

(1) if the applicant resides in the county of the local board, determine whether the applicant is qualified to become a registered voter; or

(2) if the applicant resides in a different county in the State, immediately forward the application to the proper county.

(b) A qualified applicant shall be electronically entered into the statewide voter registration list on an expedited basis at the time voter registration information is provided to the local board and shall be assigned to the county in which the applicant resides unless registration is closed pursuant to § 3-302 of this subtitle.

(c) (1) The election director in the county where an applicant resides shall send a voter acknowledgment notice, in a format prescribed by the State Board, to each applicant informing the applicant whether he or she is qualified to become registered, and, if not qualified, the reasons why.

(2) (i) A voter notification card sent to a qualified applicant may serve as a voter acknowledgment notice.

(ii) 1. The voter notification card shall contain the name and address of the voter, the date of issue, and the district or ward and precinct of the voter.

2. The card is evidence that the individual to whom it is issued is a registered voter on the date appearing on the card.

3. The election director shall issue a replacement card on request of the voter and a new card when a relevant change is made in the voter's registration record if the voter continues to reside in the county.

(D) IF THE APPLICANT HAS CHECKED THE BOX ON THE VOTER REGISTRATION APPLICATION THAT INDICATES THAT THE APPLICANT DOES NOT HAVE A VALID GOVERNMENT ISSUED IDENTIFICATION CARD, THE LOCAL BOARD SHALL SEND A LETTER TO THE APPLICANT THAT MAY BE PRESENTED TO THE MOTOR VEHICLE ADMINISTRATION FOR PURPOSES OF § 12-301(B)(2)(VI) OF THE TRANSPORTATION ARTICLE, STATING THAT:

(1) THE INDIVIDUAL REQUIRES A VALID GOVERNMENT ISSUED IDENTIFICATION CARD TO PARTICIPATE IN EARLY VOTING;

(2) THE INDIVIDUAL DOES NOT HAVE A VALID GOVERNMENT ISSUED IDENTIFICATION CARD; AND

(3) THE INDIVIDUAL IS NOT SUBJECT TO A FEE FOR THE ISSUANCE OF AN IDENTIFICATION CARD UNDER § 12-301 OF THE TRANSPORTATION ARTICLE.”.

On page 9, after line 12, insert:

“(H) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ELECTION JUDGE SHALL REQUIRE AN INDIVIDUAL WHO SEEKS TO VOTE AT AN EARLY VOTING CENTER TO PRESENT A VALID GOVERNMENT ISSUED IDENTIFICATION CARD.”;

(Over)

and in line 13, strike “(H)” and substitute “(I)”.

On page 10, after line 8, insert:

“Article – Transportation

12–301.

(a) On application, the Administration shall issue an identification card to any individual who:

(1) Is a resident of this State;

(2) Does not have a driver’s license;

(3) Presents a birth certificate or other proof of age and identity acceptable to the Administration; and

(4) Presents a completed application for an identification card on a form furnished by the Administration.

(b) (1) Except as provided in paragraph (2) of this subsection, the Administration shall establish a fee for the issuance of an identification card and for issuance of a duplicate identification card.

(2) A fee is not required if the applicant for the card:

(i) Is 65 years old or older;

(ii) Is legally blind;

(iii) Has permanently lost the use of a leg or an arm;

(iv) Is permanently disabled so severely that the applicant cannot move without the aid of crutches or a wheelchair; [or]

(v) Has a physical or mental impairment that substantially limits a “major life activity” as defined in the federal Americans with Disabilities Act;
OR

(VI) PRESENTS A LETTER SENT TO THE APPLICANT IN ACCORDANCE WITH § 3-301(D) OF THE ELECTION LAW ARTICLE STATING THAT THE APPLICANT REQUIRES THE IDENTIFICATION CARD FOR THE PURPOSE OF EARLY VOTING.”.