

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

House Bill 324
Ways and Means

(Delegate Afzali, *et al.*)

Education, Health, and Environmental Affairs

Elections - Offenses Relating to Voting - Penalties

This bill increases the maximum fine that can be imposed for a violation of specified prohibitions relating to voting, from \$2,500 to \$10,000.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's increased penalty provision for those cases heard in the District Court. No effect on expenditures.

Local Effect: Potential minimal increase in revenues due to the bill's increased penalty provision for those cases heard in the circuit courts. No effect on expenditures.

Small Business Effect: None.

Analysis

Current Law: A person may not willfully and knowingly:

- (1) impersonate another person in order to vote or attempt to vote, or vote or attempt to vote under a false name;
- (2) vote more than once for a candidate for the same office or for the same ballot question;
- (3) vote or attempt to vote more than once in the same election, or vote in more than one election district or precinct;

- (4) vote in an election district or precinct without the legal authority to vote in that election district or precinct;
- (5) influence or attempt to influence a voter's voting decision through the use of force, threat, menace, intimidation, bribery, reward, or offer of reward;
- (6) influence or attempt to influence a voter's decision whether to go to the polls to cast a vote through the use of force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward; or
- (7) engage in conduct that results or has the intent to result in the denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or disability.

A person that violates these provisions is guilty of a misdemeanor and on conviction is subject to a fine of up to \$2,500 and/or imprisonment for up to five years. A person who violates (6) and (7) above without knowing that the act is illegal is subject to a civil penalty of up to \$5,000.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Office of the State Prosecutor, Office of the Public Defender, Department of Public Safety and Correctional Services, Maryland State Commission on Criminal Sentencing Policy, State's Attorneys' Association, Montgomery and Wicomico counties, Baltimore City, Department of Legislative Services

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