

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1186
Ways and Means

(Delegate Angel, *et al.*)

Sex Offender Registrants - School Polling Place - Alternative

This bill prohibits a sex offender registrant from knowingly entering onto the real property of a school on an election day in the State in order to vote. If the polling place assigned to a voter who is subject to sex offender registration requirements is a school or a place of worship with a school on its property, the voter may request a reassignment by the local board of elections. The request must be submitted not later than the close of registration for the election. On receipt of the voter's request, the local board must assign the voter to an election district, ward, or precinct in the voter's county that is not a school or a place of worship with a school on its property or issue the voter an absentee ballot.

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: The bill does not materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law:

Registrants Allowed to Vote on School Property

Under the Criminal Procedure Article, registered sex offenders may not knowingly enter onto real property that is used for public or nonpublic elementary or secondary education or where a State-registered/licensed family child care home, child care home, or child care

institution, or a home where specified informal child care is or will be provided, is located. The prohibition, however, does not apply to a registrant who enters real property for the purpose of voting at a school on an election day in the State if the registrant is properly registered to vote, and the registrant's polling place is at the school.

Polling Place Reassignment

Currently, an elderly or disabled voter may request a polling place reassignment if the polling place assigned to the voter is not structurally barrier free. The voter submits a request in writing to the local board of elections by the close of registration for the election, and the local board either assigns the voter to an election district, ward, or precinct in the voter's county that contains a structurally barrier free polling place or issues the voter an absentee ballot.

State Board of Elections regulations also allow for reassignments to be made for spouses or helpers of elderly or disabled voters, reassignments for religious objections to entry into a voter's assigned polling place, and for local boards of elections to develop and adopt procedures that authorize other polling place reassignments for good cause.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Department of Public Safety and Correctional Services; Baltimore City; Kent, Montgomery, Washington, and Worcester counties; Department of Legislative Services

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kb/hlb

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