

Chapter 755

(Senate Bill 449)

AN ACT concerning

Election Law – ~~Election Day Voter~~ Registration and Voting at Precinct Polling Places

FOR the purpose of providing an exception to the voter registration deadline to allow an individual to appear at a ~~certain~~ precinct polling place ~~to~~ in the individual's county of residence and apply to register to vote ~~or change the voter's address on an existing voter registration~~; requiring a ~~certain~~ an applicant for a voter registration on election day to provide proof of residency; specifying the acceptable forms of proof of residency; requiring an election judge to ~~verify that a certain applicant's residence address is assigned to a certain precinct and to determine whether a certain individual~~ determine whether an applicant for voter registration resides in the precinct and is qualified to become a registered voter; requiring an election judge to process certain applicants for voter registration in a certain manner; ~~requiring an election judge to issue a certain voter a provisional ballot under certain circumstances~~; requiring the State Board of Elections to take ~~certain~~ appropriate measures to notify potential registrants of the correct precinct polling place for the potential registrants' residence addresses except under certain circumstances; requiring an election judge to notify certain individuals of the correct precinct for the voter's residence address; ~~requiring an election judge to verify that a voter's new residence address is assigned to the precinct under certain circumstances; requiring an election judge to process certain voters who apply to change their address in a certain manner~~; requiring the State Board of Elections to adopt regulations and procedures in accordance with the requirements of certain provisions of this Act for the administration of voter registration on election day; and generally relating to ~~election day voter registration~~ registration and voting at precinct polling places.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–302

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

BY adding to

Article – Election Law

Section 3–306

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

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

Article – Election Law

3–302.

(a) Except as provided under [§ 3–305] **§§ 3–305 AND 3–306** of this subtitle, registration is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election.

(b) A voter registration application received when registration is closed shall be accepted and retained by a local board, but the registration of the applicant does not become effective until registration reopens.

(c) A voter registration application that is received by the local board after the close of registration shall be considered timely received for the next election provided:

(1) there is sufficient evidence, as determined by the local board pursuant to regulations adopted by the State Board, that the application was mailed on or before registration was closed for that election; or

(2) the application was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board prior to the close of registration.

3–306.

(A) ON ELECTION DAY, AN INDIVIDUAL MAY APPEAR AT ~~THE~~ A PRECINCT POLLING PLACE IN THE INDIVIDUAL’S COUNTY OF RESIDENCE ~~THAT THE LOCAL BOARD HAS ASSIGNED AS THE PRECINCT FOR THE INDIVIDUAL’S RESIDENCE ADDRESS TO:~~

~~(1) AND APPLY TO REGISTER TO VOTE; OR~~

~~(2) CHANGE THE VOTER’S ADDRESS ON AN EXISTING VOTER REGISTRATION.~~

(B) (1) WHEN APPLYING TO REGISTER TO VOTE ON ELECTION DAY, THE APPLICANT SHALL PROVIDE PROOF OF RESIDENCY.

(2) THE APPLICANT SHALL PROVE RESIDENCY BY SHOWING THE ELECTION JUDGE:

(I) A MARYLAND DRIVER’S LICENSE OR MARYLAND IDENTIFICATION CARD THAT CONTAINS THE APPLICANT’S CURRENT ADDRESS; OR

(II) IF THE APPLICANT DOES NOT HAVE A DRIVER'S LICENSE OR IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS, A COPY OF AN OFFICIAL DOCUMENT THAT:

- 1. MEETS THE REQUIREMENTS ESTABLISHED BY THE STATE BOARD; AND
- 2. CONTAINS THE APPLICANT'S NAME AND CURRENT ADDRESS.

(C) (1) WHEN AN INDIVIDUAL APPLIES TO REGISTER TO VOTE AT ~~THE A~~ PRECINCT POLLING PLACE ~~DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION~~ ON ELECTION DAY, THE ELECTION JUDGE SHALL:

~~(I) VERIFY THE APPLICANT'S RESIDENCE ADDRESS IS ASSIGNED TO THE PRECINCT; AND~~

~~(II) DETERMINE WHETHER THE INDIVIDUAL APPLICANT RESIDES IN THE PRECINCT IN WHICH THE APPLICANT APPLIED AND IS QUALIFIED TO BECOME A REGISTERED VOTER.~~

(2) ~~AFTER VERIFYING THAT~~ IF THE VOTER IS A RESIDENT OF THE PRECINCT AND IS QUALIFIED TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:

- (I) ISSUE THE VOTER A VOTER AUTHORITY CARD;
- (II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND
- (III) ISSUE THE VOTER A REGULAR BALLOT.

(3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE PRECINCT, IS QUALIFIED TO REGISTER TO VOTE, AND CHOOSES TO VOTE IN THE PRECINCT, THE ELECTION JUDGE SHALL ~~ISSUE THE VOTER A PROVISIONAL BALLOT:~~

- (I) ISSUE THE VOTER A VOTER AUTHORITY CARD;
- (II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND
- (III) ISSUE THE VOTER A PROVISIONAL BALLOT.

(D) (1) ~~THE~~ UNLESS A LOCAL BOARD ELECTS TO MAKE THE NOTIFICATION, THE STATE BOARD SHALL TAKE APPROPRIATE MEASURES TO

NOTIFY POTENTIAL REGISTRANTS OF THE CORRECT PRECINCT POLLING PLACE FOR THE POTENTIAL REGISTRANTS' RESIDENCE ADDRESSES BEFORE EACH ELECTION.

(2) THE ELECTION JUDGE SHALL NOTIFY AN INDIVIDUAL WHO APPLIES TO REGISTER TO VOTE AT THE INCORRECT PRECINCT FOR THE VOTER'S RESIDENCE ADDRESS OF THE CORRECT PRECINCT FOR THE VOTER'S RESIDENCE ADDRESS.

~~(E) (1) WHEN A VOTER APPLIES TO CHANGE THE VOTER'S ADDRESS AT THE PRECINCT POLLING PLACE DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION ON ELECTION DAY, THE ELECTION JUDGE SHALL VERIFY THAT THE VOTER'S NEW RESIDENCE ADDRESS IS ASSIGNED TO THE PRECINCT.~~

~~(2) AFTER VERIFYING THAT THE VOTER IS A RESIDENT OF THE PRECINCT, THE ELECTION JUDGE SHALL:~~

~~(I) ISSUE THE VOTER A VOTER AUTHORITY CARD;~~

~~(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND~~

~~(III) ISSUE THE VOTER A REGULAR BALLOT.~~

~~(3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE PRECINCT, THE ELECTION JUDGE SHALL ISSUE THE VOTER A PROVISIONAL BALLOT.~~

~~(F)~~ (E) THE STATE BOARD SHALL ADOPT REGULATIONS AND PROCEDURES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR THE ADMINISTRATION OF VOTER REGISTRATION ON ELECTION DAY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.