

HOUSE BILL 423

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9lr0630
CF SB 934

By: **Delegates Kelly, Barve, Boyce, Chang, Ivey, Korman, R. Lewis, Lierman, Moon, Palakovich Carr, Qi, Reznik, Shetty, and Wilkins**

Introduced and read first time: January 31, 2019

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2019

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Voter Registration Drive – High Schools**

3 FOR the purpose of ~~authorizing an individual to apply to become a registered voter at the~~
4 ~~public or private high school where the individual is employed or enrolled; requiring~~
5 ~~the State Board of Elections to designate public and private high schools as voter~~
6 ~~registration entities where qualified employees and enrolled students may register~~
7 ~~to vote; requiring certain high schools to designate certain individuals to distribute~~
8 ~~a voter registration application to employees and certain students and to distribute~~
9 ~~voter registration applications to employees and certain students at least a certain~~
10 ~~number of times during the school year; requiring certain high schools to provide~~
11 ~~certain documentation to prospective registrants; requiring certain high schools to~~
12 ~~accept a completed voter registration application for transmittal to the appropriate~~
13 ~~election board; authorizing an applicant to mail a voter registration application to~~
14 ~~the appropriate State election official or return it to a designated individual for~~
15 ~~transmittal to the appropriate election official; requiring certain individuals to~~
16 ~~transmit a voter registration application to the appropriate State election official~~
17 ~~within a certain time after the acceptance of the voter registration application;~~
18 ~~prohibiting certain individuals from taking certain actions regarding voter~~
19 ~~registration; prohibiting information relating to a declination to register to vote at a~~
20 ~~high school from being used for certain purposes; prohibiting the identity of the high~~
21 ~~school through which a particular voter has registered from being disclosed to the~~
22 ~~public; authorizing certain individuals to review a voter registration application for~~
23 ~~completeness out of the applicant's presence and take certain action if an incomplete~~
24 ~~application is discovered; requiring that certain regulations be adopted by the State~~

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.



~~Board of Elections, in cooperation with the State Board of Education; providing for a delayed effective date; and generally relating to voter registration in high schools, requiring each local board of elections to conduct a voter registration drive at least once each school year in each public high school in the county in a manner specified in an agreement between the local board and county board of education; requiring each public official responsible for the use of a public high school to make available to the local board of elections, without charge, the space that is needed in the building for the proper conduct of a voter registration drive; defining a certain term; and generally relating to voter registration drives conducted in public high schools.~~

BY repealing and reenacting, without amendments,

Article – Election Law

Section 3–102(a)(1) and 3–201

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Election Law~~

~~Section 3–201~~

~~Annotated Code of Maryland~~

~~(2017 Replacement Volume and 2018 Supplement)~~

BY adding to

Article – Election Law

Section 3–204.3

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

3–102.

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

(i) is a citizen of the United States;

(ii) is at least 16 years old;

(iii) is a resident of the State as of the day the individual seeks to register; and

(iv) registers pursuant to this title.

1 3-201.

2 (a) An individual may apply to become a registered voter:

3 (1) at a local board office or the State Board office;

4 (2) at a registration site administered by a local board;

5 (3) by mail;

6 (4) when applying to the Motor Vehicle Administration for the issuance,
7 renewal, or modification of a driver's license or identification card;

8 (5) when applying for services at a voter registration agency;

9 (6) through the State Board's online voter registration system; ~~for~~

10 (7) with the assistance of a volunteer authorized by the State or local board;

11 ~~OR~~

12 ~~(8) AT THE PUBLIC OR PRIVATE HIGH SCHOOL WHERE THE~~
13 ~~INDIVIDUAL IS EMPLOYED OR ENROLLED.~~

14 (b) An individual who is at least 18 years old or will be 18 years old on or before
15 the day of the next succeeding general or special election may be a volunteer under
16 subsection (a)(7) of this section.

17 **3-204.3.**

18 **(A) (1) IN THIS SECTION, "VOTER REGISTRATION DRIVE" MEANS A VOTER**
19 **REGISTRATION SITE ADMINISTERED BY A LOCAL BOARD WHERE VOTER**
20 **REGISTRATION APPLICATIONS APPROVED BY THE STATE BOARD ARE DISTRIBUTED**
21 **TO INDIVIDUALS ELIGIBLE TO REGISTER TO VOTE.**

22 **(2) "VOTER REGISTRATION DRIVE" MAY INCLUDE:**

23 **(I) AN EVENT ON SCHOOL PROPERTY, DURING SCHOOL HOURS,**
24 **OPEN TO EACH EMPLOYEE OF AND STUDENT ENROLLED IN THE SCHOOL WHO IS OR**
25 **WILL BE 16 YEARS OLD OR OLDER DURING THE IMMEDIATELY FOLLOWING YEAR,**
26 **WHERE COMPLETED VOTER REGISTRATION APPLICATIONS ARE ACCEPTED BY A**
27 **LOCAL BOARD OFFICIAL, EMPLOYEE, OR AUTHORIZED VOLUNTEER FOR**
28 **TRANSMITTAL TO THE APPROPRIATE ELECTION OFFICIAL; OR**

29 **(II) LOCAL BOARD OFFICIALS, EMPLOYEES, OR AUTHORIZED**
30 **VOLUNTEERS VISITING CLASSROOMS WITHIN A SCHOOL, DURING SCHOOL HOURS,**

1 DISTRIBUTING VOTER REGISTRATION APPLICATIONS TO EACH EMPLOYEE OF AND
2 STUDENT ENROLLED IN THE SCHOOL WHO IS OR WILL BE 16 YEARS OLD OR OLDER
3 DURING THE IMMEDIATELY FOLLOWING YEAR AND ACCEPTING COMPLETED VOTER
4 REGISTRATION APPLICATIONS FOR TRANSMITTAL TO THE APPROPRIATE ELECTION
5 OFFICIAL.

6 (B) AT LEAST ONCE EACH SCHOOL YEAR, EACH LOCAL BOARD SHALL
7 CONDUCT A VOTER REGISTRATION DRIVE IN EACH PUBLIC HIGH SCHOOL IN THE
8 COUNTY IN A MANNER SPECIFIED IN AN AGREEMENT BETWEEN THE LOCAL BOARD
9 AND THE COUNTY BOARD OF EDUCATION.

10 (C) EACH PUBLIC OFFICIAL RESPONSIBLE FOR THE USE OF A PUBLIC HIGH
11 SCHOOL SHALL MAKE AVAILABLE TO THE LOCAL BOARD, WITHOUT CHARGE, THE
12 SPACE THAT IS NEEDED IN THE BUILDING FOR THE PROPER CONDUCT OF A VOTER
13 REGISTRATION DRIVE.

14 ~~(A) THE STATE BOARD SHALL DESIGNATE PUBLIC AND PRIVATE HIGH~~
15 ~~SCHOOLS AS VOTER REGISTRATION ENTITIES WHERE QUALIFIED EMPLOYEES AND~~
16 ~~ENROLLED STUDENTS MAY APPLY TO REGISTER TO VOTE.~~

17 ~~(B) EACH HIGH SCHOOL DESIGNATED UNDER SUBSECTION (A) OF THIS~~
18 ~~SECTION SHALL:~~

19 ~~(1) DESIGNATE FACULTY OR STAFF MEMBERS TO DISTRIBUTE AND~~
20 ~~ACCEPT VOTER REGISTRATION APPLICATIONS APPROVED BY THE STATE BOARD;~~

21 ~~(2) DISTRIBUTE A VOTER REGISTRATION APPLICATION AT LEAST~~
22 ~~TWICE EACH SCHOOL YEAR TO EACH EMPLOYEE AND STUDENT WHO IS OR WILL BE~~
23 ~~16 YEARS OLD OR OLDER DURING THAT YEAR;~~

24 ~~(3) PROVIDE A DOCUMENT TO PROSPECTIVE REGISTRANTS THAT~~
25 ~~INCLUDES:~~

26 ~~(I) THE QUESTION, "IF YOU ARE NOT REGISTERED TO VOTE~~
27 ~~WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE~~
28 ~~TODAY?";~~

29 ~~(II) BOXES FOR THE APPLICANT TO CHECK TO INDICATE~~
30 ~~WHETHER THE APPLICANT WOULD LIKE TO REGISTER OR DECLINES TO REGISTER~~
31 ~~TO VOTE TOGETHER WITH THE STATEMENT IN CLOSE PROXIMITY TO THE BOXES AND~~
32 ~~IN PROMINENT TYPE, "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE~~
33 ~~CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";~~

1 ~~(III) THE STATEMENT, "IF YOU WOULD LIKE HELP IN FILLING~~
2 ~~OUT THE VOTER REGISTRATION APPLICATION FORM, WE WILL HELP YOU. THE~~
3 ~~DECISION WHETHER TO SEEK OR ACCEPT HELP IS YOURS. YOU MAY FILL OUT THE~~
4 ~~APPLICATION FORM IN PRIVATE."~~;

5 ~~(IV) THE STATEMENT, "IF YOU BELIEVE THAT SOMEONE HAS~~
6 ~~INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO~~
7 ~~VOTE, YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN~~
8 ~~APPLYING TO REGISTER TO VOTE, OR YOUR RIGHT TO CHOOSE YOUR OWN POLITICAL~~
9 ~~PARTY OR OTHER POLITICAL PREFERENCE, YOU MAY FILE A COMPLAINT WITH THE~~
10 ~~STATE BOARD OF ELECTIONS."~~; AND

11 ~~(V) THE ADDRESS AND TOLL FREE TELEPHONE NUMBER OF~~
12 ~~THE STATE BOARD; AND~~

13 ~~(4) ACCEPT COMPLETED VOTER REGISTRATION APPLICATIONS~~
14 ~~RETURNED TO A DESIGNATED FACULTY OR STAFF MEMBER UNDER SUBSECTION (C)~~
15 ~~OF THIS SECTION FOR TRANSMITTAL TO THE APPROPRIATE ELECTION OFFICIAL.~~

16 ~~(C) AN APPLICANT MAY MAIL THE VOTER REGISTRATION APPLICATION TO~~
17 ~~THE APPROPRIATE STATE ELECTION OFFICIAL OR RETURN IT TO A DESIGNATED~~
18 ~~FACULTY OR STAFF MEMBER FOR TRANSMITTAL TO THE APPROPRIATE ELECTION~~
19 ~~OFFICIAL.~~

20 ~~(D) WITHIN 5 DAYS AFTER THE ACCEPTANCE OF A VOTER REGISTRATION~~
21 ~~APPLICATION, A DESIGNATED FACULTY OR STAFF MEMBER SHALL TRANSMIT THE~~
22 ~~APPLICATION TO THE APPROPRIATE STATE ELECTION OFFICIAL.~~

23 ~~(E) (1) A FACULTY OR STAFF MEMBER MAY NOT:~~

24 ~~(I) SEEK TO INFLUENCE AN APPLICANT'S POLITICAL~~
25 ~~PREFERENCE OR PARTY REGISTRATION;~~

26 ~~(II) DISPLAY ANY POLITICAL PREFERENCE OR PARTY~~
27 ~~ALLEGIANCE AT THE DESIGNATED TIME OF REGISTRATION; OR~~

28 ~~(III) MAKE ANY STATEMENT TO AN APPLICANT OR TAKE ANY~~
29 ~~ACTION THE PURPOSE OR EFFECT OF WHICH IS TO LEAD THE APPLICANT TO~~
30 ~~BELIEVE THAT A DECISION TO REGISTER OR NOT TO REGISTER HAS ANY BEARING~~
31 ~~ON THE APPLICANT'S EMPLOYMENT OR ENROLLMENT STATUS.~~

32 ~~(2) INFORMATION RELATING TO A DECLINATION TO REGISTER TO~~
33 ~~VOTE AT A HIGH SCHOOL MAY NOT BE USED FOR ANY PURPOSE OTHER THAN THE~~
34 ~~MAINTENANCE OF VOTER REGISTRATION STATISTICS.~~

1 ~~(3) NOTWITHSTANDING § 3-501 OF THIS TITLE AND § 4-401 OF THE~~
 2 ~~GENERAL PROVISIONS ARTICLE, THE IDENTITY OF A HIGH SCHOOL THROUGH~~
 3 ~~WHICH A PARTICULAR VOTER HAS REGISTERED MAY NOT BE DISCLOSED TO THE~~
 4 ~~PUBLIC.~~

5 ~~(4) (i) A FACULTY OR STAFF MEMBER MAY REVIEW AN~~
 6 ~~APPLICATION FOR COMPLETENESS OUT OF THE APPLICANT'S PRESENCE.~~

7 ~~(ii) IF THE FACULTY OR STAFF MEMBER DISCOVERS AN~~
 8 ~~INCOMPLETE APPLICATION, THE FACULTY OR STAFF MEMBER MAY NOTIFY THE~~
 9 ~~APPLICANT AND ALLOW THE APPLICANT TO COMPLETE THE APPLICATION.~~

10 ~~(f) ANY REGULATIONS ADOPTED TO CARRY OUT THE REQUIREMENTS OF~~
 11 ~~THIS SECTION, INCLUDING PROVISIONS FOR TRAINING THE EMPLOYEES OF HIGH~~
 12 ~~SCHOOLS, SHALL BE ADOPTED BY THE STATE BOARD IN COOPERATION WITH THE~~
 13 ~~STATE BOARD OF EDUCATION.~~

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 15 ~~October 1, 2020~~ July 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.