

# SENATE BILL 91

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(PRE-FILED)

0lr0564  
CF HB 51

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By: **Senator Kagan**

Requested: August 23, 2019

Introduced and read first time: January 8, 2020

Assigned to: Education, Health, and Environmental Affairs and Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Election Law – Individuals Released From Correctional Facilities – Voter**  
3 **Registration**

4 FOR the purpose of requiring a correctional facility to provide an inmate who has completed  
5 a sentence of imprisonment for a felony conviction with a voter registration form  
6 before releasing the inmate; requiring a correctional facility to provide the inmate  
7 with certain information concerning the inmate's voting rights and voter registration  
8 requirements before releasing the inmate; defining certain terms; and generally  
9 relating to voter registration and individuals released from correctional facilities.

10 BY repealing and reenacting, without amendments,  
11 Article – Election Law  
12 Section 3–102(b)  
13 Annotated Code of Maryland  
14 (2017 Replacement Volume and 2019 Supplement)

15 BY adding to  
16 Article – Election Law  
17 Section 3–204.3  
18 Annotated Code of Maryland  
19 (2017 Replacement Volume and 2019 Supplement)

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

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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.



1 **Article – Election Law**

2 3–102.

3 (b) An individual is not qualified to be a registered voter if the individual:

4 (1) has been convicted of a felony and is currently serving a court–ordered  
5 sentence of imprisonment for the conviction;

6 (2) is under guardianship for mental disability and a court of competent  
7 jurisdiction has specifically found by clear and convincing evidence that the individual  
8 cannot communicate, with or without accommodations, a desire to participate in the voting  
9 process; or

10 (3) has been convicted of buying or selling votes.

11 **3–204.3.**

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
13 INDICATED.

14 (2) “CORRECTIONAL FACILITY” MEANS A STATE CORRECTIONAL  
15 FACILITY OR A LOCAL CORRECTIONAL FACILITY.

16 (3) “LOCAL CORRECTIONAL FACILITY” HAS THE MEANING STATED IN  
17 § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

18 (4) “STATE CORRECTIONAL FACILITY” HAS THE MEANING STATED IN  
19 § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

20 (B) BEFORE RELEASING AN INMATE WHO HAS COMPLETED A SENTENCE OF  
21 IMPRISONMENT FOR A FELONY CONVICTION, A CORRECTIONAL FACILITY SHALL:

22 (1) PROVIDE THE INMATE WITH A VOTER REGISTRATION FORM; AND

23 (2) INFORM THE INMATE THAT:

24 (I) THE INMATE ~~WILL~~ MAY HAVE THE RIGHT TO VOTE AFTER  
25 THE INMATE’S RELEASE FROM THE CORRECTIONAL FACILITY IF QUALIFIED TO BE A  
26 REGISTERED VOTER UNDER § 3–102 OF THIS TITLE; AND

27 (II) THE INMATE MUST REGISTER TO VOTE AFTER THE INMATE’S  
28 RELEASE FROM THE CORRECTIONAL FACILITY TO EXERCISE THE RIGHT TO VOTE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2020.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.