

HOUSE BILL 1341

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1998 Regular Session
8lr2632

By: ~~Delegate Shriver~~ **Delegates Shriver, Benson, Dypski, Malone, DeCarlo,
Patterson, Morgan, Mandel, Getty, Faulkner, Clagett, Moe, Bobo, and
Kagan**

Introduced and read first time: February 23, 1998
Assigned to: Rules and Executive Nominations
Re-referred to: Commerce and Government Matters, March 2, 1998

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 27, 1998

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Voter Registration - State Institutions of Higher Education**

3 FOR the purpose of requiring each State public institution of higher education in the
4 State to provide enrollees of the institution the opportunity to ~~register to vote~~
5 request a certain voter registration document in conjunction with the
6 individual's enrollment, registration, or payment process; and generally relating
7 to voter registration activities and requirements at State public institutions of
8 higher education in the State.

9 BY repealing and reenacting, with amendments,
10 Article 33 - Election Code
11 Section 3-204
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 1997 Supplement)
14 (As enacted by Chapter _____ (S.B. 118/H.B. 127) of the Acts of the General
15 Assembly of 1998)

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

1

Article 33 - Election Code

2 3-204.

3 (a) (1) The State Board shall designate public agencies and
4 nongovernmental agencies as voter registration agencies where qualified individuals
5 may apply to register to vote.

6 (2) The State Board shall designate the following offices as voter
7 registration agencies:

8 (i) All offices in the State that provide public assistance; [and]

9 (ii) All offices in the State that provide State-funded programs
10 primarily engaged in providing services to individuals with disabilities; AND

11 (III) ~~EACH STATE INSTITUTION~~ ALL PUBLIC INSTITUTIONS OF
12 HIGHER EDUCATION IN THE STATE.

13 (3) The State Board and the Secretary of Defense shall jointly develop
14 and implement procedures for persons to apply to register to vote at recruitment
15 offices of the armed forces of the United States, which shall be deemed voter
16 registration agencies.

17 (b) ~~Each~~ EXCEPT FOR A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE
18 STATE, WHICH INSTITUTION SHALL COMPLY WITH THE REQUIREMENTS OF
19 SUBSECTION (C) OF THIS SECTION, EACH voter registration agency, as provided in
20 subsection (a)(2) and (3) of this section, shall:

21 (1) Distribute a voter registration application approved by the State
22 Board or the Federal Election Commission with each application for service or
23 assistance it renders and with each recertification, renewal, or change of address
24 form relating to such service or assistance;

25 (2) Provide a document to prospective registrants ~~OR ENROLLEES AND,~~
26 ~~IN THE CASE OF INSTITUTIONS OF HIGHER EDUCATION, AT THE TIME THE~~
27 ~~INDIVIDUAL ENROLLS, REGISTERS, OR PAYS FOR COURSE WORK PROVIDED BY THE~~
28 ~~INSTITUTION~~; that includes:

29 (i) The question, "If you are not registered to vote where you live
30 now, would you like to apply to register to vote here today?";

31 (ii) If the agency provides public assistance, the statement,
32 "Applying to register or declining to register to vote will not affect the amount of
33 assistance that you will be provided by this agency.";

34 (iii) Boxes for the applicant to check to indicate whether the
35 applicant would like to register or declines to register to vote together with the
36 statement (in close proximity to the boxes and in prominent type), "If you do not check
37 either box, you will be considered to have decided not to register to vote at this time.";

1 (iv) The statement, "If you would like help in filling out the voter
2 registration application form, we will help you. The decision whether to seek or accept
3 help is yours. You may fill out the application form in private.";

4 (v) The statement, "If you believe that someone has interfered with
5 your right to register or to decline to register to vote, your right to privacy in deciding
6 whether to register or in applying to register to vote, or your right to choose your own
7 political party or other political preference, you may file a complaint with the State
8 Board of Elections"; and

9 (vi) The address and toll free telephone number of the State Board;

10 (3) Provide each applicant who does not decline to register to vote and
11 who accepts assistance the same degree of assistance with regard to completion of the
12 registration ~~OR ENROLLMENT~~ application ~~AND MATERIALS~~ as is provided by the office
13 with regard to the completion of its own applications, unless the applicant refuses
14 such assistance; and

15 (4) Accept the completed voter registration application for transmittal to
16 the appropriate election board.

17 (C) AT THE TIME THAT AN INDIVIDUAL ENROLLS, REGISTERS, OR PAYS FOR
18 COURSE WORK PROVIDED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE
19 STATE, THE INSTITUTION SHALL PROVIDE THE INDIVIDUAL WITH AN OPPORTUNITY
20 TO REQUEST A VOTER REGISTRATION APPLICATION. IF THE INDIVIDUAL REQUESTS A
21 VOTER REGISTRATION APPLICATION, THE INSTITUTION SHALL PROVIDE, OR CAUSE
22 TO BE PROVIDED, AN APPLICATION TO THE INDIVIDUAL.

23 ~~(D)~~ (D) An applicant may mail the voter registration application to the
24 appropriate State election official or return it to the voter registration agency for
25 transmittal to the appropriate election official.

26 ~~(E)~~ (E) Within 5 days from the acceptance of a voter registration application,
27 the voter registration agency shall forward the application to the appropriate State
28 election official.

29 ~~(F)~~ (F) If a voter registration agency is an office described in
30 [subparagraph] SUBSECTION (a)(2)(ii) of this section, which provides services to an
31 individual with a disability at the individual's home, the agency shall provide the
32 services described at the individual's home.

33 ~~(G)~~ (G) (1) An individual who provides any service described in subsection
34 (b) of this section may not:

35 (i) Seek to influence an applicant's political preference or party
36 registration;

37 (ii) Display any such political preference or party allegiance; or

1 (iii) Make any statement to an applicant or take any action the
2 purpose or effect of which is to lead the applicant to believe that a decision to register
3 or not to register has any bearing on the availability of services or benefits.

4 (2) No information relating to a declination to register to vote in
5 connection with an application made at an office designated as a voter registration
6 agency may be used for any purpose other than the maintenance of voter registration
7 statistics.

8 (3) Notwithstanding § 3-501 of this title and § 10-611 of the State
9 Government Article, the identity of a voter registration agency through which a
10 particular voter has registered may not be disclosed to the public.

11 ~~(g)~~ (H) Regulations necessary to carry out the requirements of this section
12 and § 3-203 of this subtitle, including provisions for training the employees of voter
13 registration agencies and the Motor Vehicle Administration, shall be adopted by the
14 State Board in cooperation with each agency.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 January 1, 1999.