

SENATE BILL 69

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1998 Regular Session
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(PRE-FILED)

By: **Chairman, Economic and Environmental Affairs Committee**
(Departmental - Elections, State Board of)

Requested: October 21, 1997
Introduced and read first time: January 14, 1998
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: January 27, 1998

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Voter Registration Application Deadline**

3 FOR the purpose of providing that an application for voter registration is timely if it
4 is postmarked on or before the registration deadline, regardless of the date of
5 receipt; and providing for the effective date of this Act.

6 BY repealing and reenacting, with amendments,
7 Article 33 - Election Code
8 Section 3-8(a)
9 Annotated Code of Maryland
10 (1997 Replacement Volume and 1997 Supplement)

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

13 **Article 33 - Election Code**

14 3-8.

15 (a) (1) Except as provided in § 2-9(e) of this article and paragraph (2) of this
16 subsection, no person may register:

17 (i) Between 9 p.m. on the 5th Monday preceding a primary or
18 special primary election and the 11th day after that election; or

1 (ii) Between 9 p.m. on the 5th Monday preceding a general or
2 special election and the 16th day following that election.

3 (2) (i) A voter registration application which is received by mail by any
4 local board or by the State Administrative Board of Election Laws shall be considered
5 as received timely for registration for the next election provided:

6 1. It is received prior to the deadline for registration
7 established in paragraph (1) of this subsection; or

8 2. A. It was either mailed on or before the 5th Monday
9 preceding a primary, special primary, or general election or, if that Monday is a legal
10 public holiday as set out in 5 U.S.C. § 6103(a), on or before the 4th Tuesday preceding
11 a primary, special primary, or general election; AND

12 B. The United States Postal Service, or the postal service of
13 any other country, has provided verification of that fact by affixing a mark so
14 indicating on the covering envelope[; and

15 C. The application is received by 4 p.m. on the fourth
16 Wednesday preceding the election involved].

17 (ii) An application received [after the applicable deadline] WITH
18 AN UNTIMELY POSTMARK shall be accepted, but the registration of the applicant may
19 not become effective until the registration records are next open pursuant to this
20 subsection.

21 (iii) For the purposes of subparagraph (i)2 of this paragraph as it
22 applies to applications received from outside the United States, as defined in §
23 27-9(d)(4) of this article, the applicant's affidavit that the application was completed
24 and mailed before the applicable deadline shall suffice to establish that the
25 application was timely mailed if:

26 1. The postal service of the country from which the
27 application was mailed does not provide a postmark; or

28 2. The application is received from a private mail service.

29 (3) In the case of a registration application received by the Motor Vehicle
30 Administration or by a voter registration agency designated by the State
31 Administrative Board of Election Laws, the application is timely if it is received by
32 the Administration or agency by the close of business on the fifth Monday preceding
33 an election.

34 (4) Each applicant to register to vote shall be notified of the disposition
35 of the application.

36 (5) Any registered voter who moves from the address specified in the
37 voter's registration or changes his name, within 30 days thereafter, shall notify the

1 Board of the voter's former and new addresses or former and new names, as the case
2 may be.

3 (6) Timely receipt of a voter registration application by any local board or
4 by the State Administrative Board of Election Laws shall be deemed timely receipt by
5 the local board in the county in which the applicant's residence is located.

6 (7) Any voter registration application received by the State
7 Administrative Board of Election Laws shall be forwarded immediately to the local
8 board in the county in which the applicant's residence is located.

9 (8) Any voter registration application received by a local board for a
10 county in which the applicant does not reside shall, if the applicant resides in the
11 State, be forwarded immediately to the local board in the county in which the
12 applicant's residence is located.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
14 effect June 1, 1998.