

HOUSE BILL 1394

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2000 Regular Session  
0lr2904  
CF 0lr2905

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By: **Delegate Kach**

Introduced and read first time: February 28, 2000

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Voter Registration - Identification as an Independent Voter**

3 FOR the purpose of requiring the State Board of Elections to provide a voter  
4 registration applicant with the opportunity to decline to affiliate with a political  
5 party by requesting identification as an independent voter; authorizing a  
6 registered voter to use a voter registration application to change identification  
7 as an independent voter; and generally relating to voter registration and  
8 identification as an independent voter.

9 BY repealing and reenacting, with amendments,  
10 Article 33 - Election Code  
11 Section 3-202  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 1999 Supplement)

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

16 **Article 33 - Election Code**

17 3-202.

18 (a) (1) The statewide voter registration application shall:

19 (i) State the qualifications to become a registered voter;

20 (ii) Require the signature of the applicant, subject to the penalties  
21 of perjury, by which the applicant swears or affirms that the information contained in  
22 the registration application is true and that the applicant meets all of the  
23 qualifications to become a registered voter;

24 (iii) State the penalties for the submission of a false application;

25 (iv) State that if an individual declines to register, this fact will  
26 remain confidential and be used only for voter registration purposes;

1 (v) State that if an individual registers to vote, the office at which  
2 the application is submitted will remain confidential and will be used only for voter  
3 registration purposes;

4 (vi) Notify the applicant that submission of the form to an  
5 individual other than an official, employee, or agent of a local board does not assure  
6 that the form will be filed or filed in a timely manner;

7 (vii) Provide the applicant with the opportunity to cancel a current  
8 registration; [and]

9 (viii) PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO  
10 DECLINE TO AFFILIATE WITH A POLITICAL PARTY BY REQUESTING IDENTIFICATION  
11 AS AN INDEPENDENT VOTER; AND

12 (IX) Use identically sized print for the information that is required  
13 to be stated by this paragraph.

14 (2) The statewide voter registration application may not require:

15 (i) Notarization or other formal authentication; or

16 (ii) Any additional information, other than the information  
17 necessary to enable election officials to determine the eligibility of the applicant and  
18 to administer voter registration and other parts of the election process.

19 (3) (i) A statewide voter registration application shall be produced  
20 exclusively by the State Board.

21 (ii) No other registration form may be used for registration  
22 purposes except:

23 1. A voter registration application produced by a local board  
24 with the approval of the State Board;

25 2. As provided in subsection (b) of this section;

26 3. As provided in § 3-203(b) of this subtitle; or

27 4. Any other form prescribed by federal law for voter  
28 registration.

29 (b) The voter registration application form prescribed by the Federal Election  
30 Commission pursuant to the National Voter Registration Act of 1993 shall be accepted  
31 by the appropriate election official for purposes of voter registration.

32 (c) The applications described in this section may be used by registered voters  
33 to change their name, address, [or] party affiliation, OR IDENTIFICATION AS AN  
34 INDEPENDENT VOTER.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2000.