

(PRE-FILED)

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By: **Delegate Zirkin**

Requested: November 14, 2000

Introduced and read first time: January 10, 2001

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Student Voting Rights Act**

3 FOR the purpose of requiring that, for each election, in each precinct in a county in  
4 which an institution of higher education is located, the local board of elections  
5 for that county designate at least one polling place on the campus of the  
6 institution of higher education; defining a certain term; and generally relating  
7 to the establishment of certain polling places at certain institutions of higher  
8 education for each election.

9 BY repealing and reenacting, with amendments,  
10 Article 33 - Election Code  
11 Section 10-101  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 2000 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 10-101.

18 (a) (1) Each local board shall designate a polling place that meets the  
19 requirements of this subsection for each precinct in the county as established by the  
20 local board in accordance with Title 2 of this article.

21 (2) Each polling place shall:

22 (i) Provide an environment that is suitable to the proper conduct of  
23 an election;

24 (ii) Be located as conveniently as practicable for the majority of  
25 registered voters assigned to that polling place;

1 (iii) Except as authorized in paragraph (4) of this subsection, be in a  
2 public building;

3 (iv) Be in the precinct which it serves unless no suitable location for  
4 a polling place can be found within that precinct, in which case the board may  
5 establish the polling place in an adjacent precinct; and

6 (v) Whenever practicable, be selected and arranged to avoid  
7 architectural and other barriers that impede access or voting by elderly and  
8 physically disabled voters.

9 (3) (i) The public official responsible for the use of any public building  
10 requested by a local board for a polling place shall make available to the local board,  
11 without charge, the space that is needed in the building for the proper conduct of an  
12 election.

13 (ii) Light, heat, and custodial and janitorial services for the space  
14 shall be provided to the local board without charge.

15 (4) (i) If suitable space in a public building is not available, a local  
16 board may pay a reasonable fee for the use of space in a privately owned building.

17 (ii) Except as provided in subparagraph (iii) of this paragraph, an  
18 election may not be held in any building or part of any building used or occupied by an  
19 establishment that holds an alcoholic beverages license.

20 (iii) An election may be held in a building that is owned and  
21 occupied by an establishment that holds an alcoholic beverages license if:

22 1. The local board determines that there is no suitable  
23 alternative place to hold an election;

24 2. The licensee agrees not to sell or dispense alcoholic  
25 beverages during the period beginning 2 hours before the polls open and ending 2  
26 hours after the polls close; and

27 3. Where applicable, all ballots are removed from the polling  
28 place by the local board immediately following the election.

29 (5) If a polling place is located in a building owned or leased by a  
30 volunteer fire company or rescue squad, the volunteer fire company or rescue squad  
31 may require the local board to pay for the use of the space that is needed in the  
32 building for the proper conduct of any election.

33 (B) (1) IN THIS SUBSECTION, "INSTITUTION OF HIGHER EDUCATION" HAS  
34 THE MEANING STATED UNDER § 10-201(G) OF THE EDUCATION ARTICLE.

35 (2) FOR EACH ELECTION, IN EACH PRECINCT IN A COUNTY IN WHICH AN  
36 INSTITUTION OF HIGHER EDUCATION IS LOCATED, THE LOCAL BOARD FOR THAT

1 COUNTY SHALL DESIGNATE AT LEAST ONE POLLING PLACE ON THE CAMPUS OF THE  
2 INSTITUTION OF HIGHER EDUCATION.

3 [(b)] (C) (1) (i) In Baltimore City, public buildings shall be used for polling  
4 places to the greatest extent feasible.

5 (ii) For rental of privately owned polling places in Baltimore City  
6 the local board shall pay an amount as determined in the ordinance of estimates,  
7 provided that the amount is uniform on a citywide basis.

8 (2) In Charles County, the local board may use private firehouses,  
9 private halls, and other buildings for polling places.

10 (3) In Montgomery County, the County Board of Education shall make  
11 available the space and custodial service as needed for the proper conduct of elections  
12 upon application by the local board.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2001.