

HOUSE BILL 495

Unofficial Copy
G1

2001 Regular Session
(11r0859)

ENROLLED BILL

-- Commerce and Government Matters/Economic and Environmental Affairs --

Introduced by **Delegates Hill, R. Baker, Benson, Branch, Brown, Burns, Cole,
C. Davis, D. Davis, Fulton, Gladden, Howard, A. Jones, V. Jones,
Montague, Nathan-Pulliam, Oaks, Paige, Patterson, Phillips, Proctor,
Rawlings, Kirk, and Swain**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2
3
4

**Task Force to Study Repealing the Disenfranchisement of Convicted Felons in
Maryland**

5 FOR the purpose of ~~altering the qualifications for voter registration to allow certain~~
6 ~~felons who have been convicted of certain crimes more than once but who have~~
7 ~~completed the sentence imposed, including any probation, who otherwise are~~
8 ~~qualified to be registered voters, and if a certain period of time has elapsed, to~~
9 ~~register to vote, provided a certain additional period beyond the completion of~~
10 ~~the sentence imposed has elapsed; prohibiting certain felons who are convicted~~
11 ~~of certain crimes of violence from being deemed qualified to be registered voters~~
12 ~~an individual who has been convicted of a certain crime to qualify to be a~~
13 ~~registered voter if the individual has completed the sentence imposed for the~~
14 ~~conviction, including probation; and generally relating to the rights of certain~~

1 ~~felons qualifications of individuals to register to vote in the State~~ *establishing a*
 2 *Task Force to Study Repealing the Disenfranchisement of Convicted Felons;*
 3 *specifying the composition, powers, and duties of the Task Force; providing for*
 4 *the staffing of the Task Force; requiring the Task Force to report its findings and*
 5 *recommendations to the Governor and the General Assembly by a certain date;*
 6 *and generally relating to a Task Force to Study Repealing the*
 7 *Disenfranchisement of Convicted Felons in Maryland.*

8 ~~BY repealing and reenacting, with amendments,~~
 9 ~~Article 33—Election Code~~
 10 ~~Section 3-102~~
 11 ~~Annotated Code of Maryland~~
 12 ~~(1997 Replacement Volume and 2000 Supplement)~~

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

15 (a) *There is a Task Force to Study Repealing the Disenfranchisement of*
 16 *Convicted Felons in Maryland.*

17 (b) *The Task Force shall consist of the following 11 members:*

18 (1) *two members of the Senate of Maryland, appointed by the President of*
 19 *the Senate;*

20 (2) *two members of the House of Delegates, appointed by the Speaker of*
 21 *the House of Delegates;*

22 (3) *the Chairman of the State Board of Elections, or the Chairman's*
 23 *designee;*

24 (4) *the Director of the Maryland Division of Parole and Probation, or the*
 25 *Director's Designee;*

26 (5) *a member of the Maryland Attorney General's Office, appointed by the*
 27 *Attorney General;*

28 (6) *the President of the Maryland Chapter of the National Association for*
 29 *the Advancement of Colored People, or the President's designee;*

30 (7) *the President of the Baltimore Urban League, or the President's*
 31 *designee;*

32 (8) *the President of the League of Women Voters of Maryland, or the*
 33 *President's designee; and*

34 (9) *a representative of a victims' rights group, appointed by the Governor.*

35 (c) *The Chairman of the Task Force shall be designated jointly by the President*
 36 *of the Senate and the Speaker of the House of Delegates.*

1 *(d) The Task Force shall study the national consensus as it relates to felons*
 2 *convicted more than once for crimes other than voter fraud, and how such convictions*
 3 *affect their right to vote.*

4 *(e) The State Board of Elections and the Maryland Attorney General's Office*
 5 *shall provide staff for the Task Force.*

6 *(f) On or before December 31, 2001, the Task Force shall report its findings to*
 7 *the Governor and, subject to § 2-1246 of the State Government Article, to the General*
 8 *Assembly for consideration by the General Assembly in the 2002 Session.*

9 **Article 33 – Election Code**

10 ~~3-102.~~

11 ~~(a) Except as provided in [subsection (b)] SUBSECTIONS (B) AND (C) of this~~
 12 ~~section, an individual may become registered to vote if the individual:~~

13 ~~(1) Is a citizen of the United States;~~

14 ~~(2) Is at least 18 years old or will be 18 years old on or before the day of~~
 15 ~~the next succeeding general or special election;~~

16 ~~(3) Is a resident of the county as of the day the individual seeks to~~
 17 ~~register; and~~

18 ~~(4) Registers pursuant to this title.~~

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

20 ~~(1) Has been convicted of theft or other infamous crime, unless the~~
 21 ~~individual:~~

22 ~~(i) Has been pardoned; or~~

23 ~~(ii) 1. In connection with a first conviction, has HAS completed~~
 24 ~~the sentence imposed for the conviction, including probation; OR~~

25 ~~2. IN CONNECTION WITH A SUBSEQUENT CONVICTION, HAS~~
 26 ~~COMPLETED THE SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING~~
 27 ~~PROBATION, AND AT LEAST 5 YEARS HAVE ELAPSED SINCE THE COMPLETION OF THE~~
 28 ~~SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING PROBATION;~~

29 ~~(2) Is under guardianship for mental disability; or~~

30 ~~(3) Has been convicted of buying or selling votes.~~

31 ~~(C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL~~
 32 ~~WHO HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AS DEFINED UNDER ARTICLE~~
 33 ~~27, § 643B OF THE CODE IS NOT QUALIFIED TO BE A REGISTERED VOTER.~~

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