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By: **Senators Harris, Colburn, Jacobs, McCabe, and Mooney**  
Introduced and read first time: February 2, 2001  
Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Qualification of Voters - Proof of Identity**

3 FOR the purpose of requiring an election judge to qualify a voter by requesting the  
4 voter to present a certain form of identification; permitting a voter who is unable  
5 to present a certain form of identification to vote under certain circumstances;  
6 prohibiting a person from voting or attempting to vote under a false form of  
7 identification; and generally relating to proof of identity of voters.

8 BY repealing and reenacting, with amendments,  
9 Article 33 - Election Code  
10 Section 10-310(a) and (b) and 16-201  
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 **Article 33 - Election Code**

16 10-310.

17 (a) In accordance with instructions provided by the local board, an election  
18 judge shall qualify a voter by:

19 (1) Locating the voter's name in the precinct register and locating the  
20 preprinted voting authority card;

21 (2) (i) If the voter's name is not found on the precinct register,  
22 searching the inactive list and if the name is found, qualifying the voter for voting as  
23 instructed; or

24 (ii) If the voter's name is not on the inactive list, contacting the  
25 local board office and, if authorized, issuing a temporary certificate of registration, as  
26 provided in § 3-601 of this article;

27 (3) Establishing the identity of the voter by requesting the voter to:

1 (I) STATE [state] the month and day of the voter's birth and  
2 comparing the response to the information listed in the precinct register; AND

3 (II) PRESENT ONE OF THE FOLLOWING FORMS OF IDENTIFICATION:

4 1. THE VOTER'S VOTER REGISTRATION CARD;

5 2. THE VOTER'S SOCIAL SECURITY CARD;

6 3. THE VOTER'S VALID MARYLAND DRIVER'S LICENSE;

7 4. ANY IDENTIFICATION CARD ISSUED TO THE VOTER BY  
8 THE STATE, THE FEDERAL GOVERNMENT, OR ANY UNIT OF THE STATE OR THE  
9 FEDERAL GOVERNMENT; OR

10 5. ANY EMPLOYEE IDENTIFICATION CARD OF THE VOTER  
11 THAT CONTAINS A PHOTOGRAPH OF THE VOTER AND IS ISSUED BY THE EMPLOYER  
12 OF THE VOTER IN THE ORDINARY COURSE OF THE EMPLOYER'S BUSINESS;

13 (4) Verifying the address of the voter's residence;

14 (5) If any changes to the voting authority card are indicated by a voter,  
15 making the appropriate changes in information on the card or other appropriate form;  
16 and

17 (6) Having the voter sign the voting authority card and either issuing the  
18 voter a ballot or sending the voter to a machine to vote.

19 (b) (1) [On] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
20 ON the completion of the procedures set forth in subsection (a) of this section, a voter  
21 may vote in accordance with the procedures appropriate to the voting system used in  
22 the polling place.

23 (2) IF A VOTER COMPLETES THE PROCEDURES SET FORTH IN  
24 SUBSECTION (A) OF THIS SECTION BUT IS UNABLE TO PRESENT ONE OF THE FORMS  
25 OF IDENTIFICATION LISTED IN SUBSECTION (A)(3)(II) OF THIS SECTION, THE VOTER  
26 MAY VOTE IN ACCORDANCE WITH THE PROCEDURES APPROPRIATE TO THE VOTING  
27 SYSTEM USED IN THE POLLING PLACE AFTER SIGNING A STATEMENT THAT,  
28 SUBJECT TO THE PENALTIES IN § 16-201 OF THIS ARTICLE, THE VOTER IS THE NAMED  
29 VOTER WHOM THE VOTER CLAIMS TO BE.

30 16-201.

31 (a) A person may not willfully and knowingly:

32 (1) (i) Impersonate another person in order to vote or attempt to vote;

33 [or]

34 (ii) Vote or attempt to vote under a false name; OR

1 (III) VOTE OR ATTEMPT TO VOTE UNDER A FALSE FORM OF  
2 IDENTIFICATION;

3 (2) Vote more than once for a candidate for the same office or for the  
4 same ballot question;

5 (3) Vote or attempt to vote more than once in the same election, or vote in  
6 more than one election district or precinct;

7 (4) Vote in an election district or precinct without the legal authority to  
8 vote in that election district or precinct; or

9 (5) Influence or attempt to influence a voter's voting decision through  
10 the use of force, threat, menace, intimidation, bribery, reward, or offer of reward.

11 (b) A person who violates this section is subject to a fine of not more than  
12 \$2,500 or imprisonment in the penitentiary for not more than 5 years or both.

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