

HOUSE BILL 535

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HB 495/01 - CGM

2002 Regular Session
2lr0679
CF 2lr0844

By: **Delegates Hill, R. Baker, Benson, Branch, Brown, Burns, Cane, C. Davis, D. Davis, Dobson, Fulton, Giannetti, Gladden, Griffith, Harrison, Howard, A. Jones, V. Jones, Kirk, Marriott, Montague, Nathan-Pulliam, Oaks, Paige, Patterson, Phillips, Proctor, Rawlings, Swain, and Valderrama**

Introduced and read first time: January 31, 2002
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 19, 2002

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Voter Registration - Felons**

3 FOR the purpose of altering the qualifications for voter registration to allow an
4 individual who has been convicted of a certain crime to qualify to be a registered
5 voter if the individual, in connection with a first conviction, has completed the
6 court-ordered sentence imposed for the conviction, including probation
7 conviction; altering the qualifications for voter registration to allow an
8 individual who has been convicted of a certain crime to qualify to be a registered
9 voter if the individual, in connection with a subsequent conviction, has
10 completed the court-ordered sentence imposed for the conviction and at least a
11 certain number of years has elapsed since the completion of the court-ordered
12 sentence; providing for the termination of certain provisions of this Act a
13 delayed effective date; and generally relating to the qualifications of individuals
14 to register to vote in the State.

15 ~~BY repealing and reenacting, with amendments,~~
16 ~~Article 33 - Election Code~~
17 ~~Section 3-102~~
18 ~~Annotated Code of Maryland~~
19 ~~(1997 Replacement Volume and 2001 Supplement)~~

20 BY repealing and reenacting, with amendments,
21 Article - Election Law

1 Section 3-102
 2 Annotated Code of Maryland
 3 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2002)

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

6 ~~Article 33 - Election Code~~

7 ~~3-102.~~

8 (a) ~~Except as provided in subsection (b) of this section, an individual may~~
 9 ~~become registered to vote if the individual:~~

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

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

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

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

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

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

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

20 (ii) ~~[In connection with a first conviction, has] HAS completed the~~
 21 ~~COURT ORDERED sentence imposed for the conviction, including probation, PAROLE,~~
 22 ~~COMMUNITY SERVICE, RESTITUTIONS, AND FINES;~~

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

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

25 SECTION 2. ~~AND BE IT FURTHER ENACTED, That the Laws of Maryland~~
 26 ~~read as follows:~~

27 ~~Article - Election Law~~

28 ~~3-102.~~

29 (a) ~~Except as provided in subsection (b) of this section, an individual may~~
 30 ~~become registered to vote if the individual:~~

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

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

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

5 (4) Registers pursuant to this title.

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

7 (1) Has been convicted of theft or other infamous crime, unless the
8 individual:

9 (i) Has been pardoned; or

10 (ii) 1. [In connection with a first conviction, has] ~~HAS~~ completed
11 the COURT-ORDERED sentence imposed for the conviction, including probation,
12 PAROLE, COMMUNITY SERVICE, RESTITUTIONS, AND FINES; OR

13 2. IN CONNECTION WITH A SUBSEQUENT CONVICTION, HAS
14 COMPLETED THE COURT-ORDERED SENTENCE IMPOSED FOR THE CONVICTION,
15 INCLUDING PROBATION, PAROLE, COMMUNITY SERVICE, RESTITUTIONS, AND FINES,
16 AND AT LEAST 3 YEARS HAVE ELAPSED SINCE THE COMPLETION OF THE
17 COURT-ORDERED SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING
18 PROBATION, PAROLE, COMMUNITY SERVICE, RESTITUTIONS, AND FINES;

19 (2) Is under guardianship for mental disability; or

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

21 ~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act~~
22 ~~shall take effect October 1, 2002. It shall remain effective until the taking effect of~~
23 ~~Section 2 of this Act. If Section 2 of this Act takes effect, Section 1 of this Act shall be~~
24 ~~abrogated and of no further force and effect.~~

25 SECTION 4. 2. AND BE IT FURTHER ENACTED, That, ~~subject to the~~
26 ~~provisions of Section 3 of this Act,~~ this Act shall take effect January 1, 2003.