

SENATE BILL 184

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SB 83/01 - EEA

2002 Regular Session
2lr0844
CF 2lr0679

By: **Senators Kelley, Blount, Conway, Currie, Exum, Hughes, Lawlah,
McFadden, and Mitchell**

Introduced and read first time: January 17, 2002
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Recommitted to Committee, March 20, 2002
Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 28, 2002

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of ~~removing the restriction that prohibits certain felons who have~~
4 ~~more than one conviction from being deemed qualified to register to vote~~
5 altering the qualifications for voter registration to allow an individual who has
6 been convicted of a certain crime to qualify to be a registered voter if the
7 individual, in connection with a first conviction, has completed the
8 court-ordered sentence imposed for the conviction; altering the qualifications
9 for voter registration for certain felons who have completed a certain sentence
10 imposed upon them to allow an individual who has been convicted of a certain
11 crime to qualify to be a registered voter if the individual, in connection with a
12 subsequent conviction, has completed the court-ordered sentence imposed for
13 the conviction and at least a certain number of years has elapsed since the
14 completion of the court-ordered sentence; prohibiting certain individuals who
15 are convicted more than once of certain crimes of violence from being qualified
16 to be registered voters; providing for the termination of certain provisions of this
17 Act a delayed effective date; and generally relating to the rights of certain felons
18 to register to vote in the State.

19 ~~BY repealing and reenacting, with amendments,~~
20 ~~Article 33—Election Code~~
21 ~~Section 3-102~~
22 ~~Annotated Code of Maryland~~
23 ~~(1997 Replacement Volume and 2001 Supplement)~~

1 BY repealing and reenacting, with amendments,
 2 Article - Election Law
 3 Section 3-102
 4 Annotated Code of Maryland
 5 (As enacted by Chapter ___(S.B. 1) of the Acts of the General Assembly of 2002)

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

8 **~~Article 33 - Election Code~~**

9 ~~3-102.~~

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

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

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

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

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

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

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

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

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

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

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

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

29 **Article - Election Law**

30 3-102.

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

- 1 (1) Is a citizen of the United States;
- 2 (2) Is at least 18 years old or will be 18 years old on or before the day of
3 the next succeeding general or special election;
- 4 (3) Is a resident of the county as of the day the individual seeks to
5 register; and
- 6 (4) Registers pursuant to this title.

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

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

10 (i) Has been pardoned; or

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

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

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

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

22 (C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL IS
23 NOT QUALIFIED TO BE A REGISTERED VOTER IF THE INDIVIDUAL HAS BEEN
24 CONVICTED OF A SECOND OR SUBSEQUENT CRIME OF VIOLENCE, AS DEFINED IN
25 § 14-101 OF THE CRIMINAL LAW ARTICLE.

26 ~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall~~
27 ~~take effect October 1, 2002. It shall remain effective until the taking effect of Section~~
28 ~~2 of this Act. If Section 2 of this Act takes effect, Section 1 of this Act shall be~~
29 ~~abrogated and of no further force and effect.~~

30 ~~SECTION 4.2. AND BE IT FURTHER ENACTED, That, subject to the~~
31 ~~provisions of Section 3 of this Act, this Act shall take effect January 1, 2003.~~

