

HOUSE BILL 77

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2003 Regular Session
3lr1429
CF SB 23

By: **Delegate Hubbard**

Introduced and read first time: January 22, 2003

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Voting - Minors Accompanying Parents**

3 FOR the purpose of altering the prohibition on children over a certain age
4 accompanying a voter in the voting room and booth at a polling place by
5 authorizing a minor child of a voter to accompany the voter in the voting room
6 and booth under certain circumstances; and making stylistic changes.

7 BY repealing and reenacting, with amendments,
8 Article - Election Law
9 Section 10-308 and 10-310(c)
10 Annotated Code of Maryland
11 (2003 Volume)

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

14 **Article - Election Law**

15 10-308.

16 An election judge shall allow the following individuals to have access to the
17 voting room at a polling place:

18 (1) a voter;
19 (2) an individual who accompanies a voter in need of assistance in
20 accordance with § 10-310(c) of this subtitle;
21 (3) polling place staff;
22 (4) a member or other representative of the State Board or local board;
23 (5) an accredited watcher or challenger under § 10-311 of this subtitle;
24 (6) a MINOR child [under the age of 11] who accompanies a voter in
25 accordance with § 10-310(c) of this subtitle; and

1 (7) any other individual authorized by the State Board or local board.

2 10-310.

3 (c) (1) Before a voter enters a voting booth, at the request of the voter, an
4 election judge shall:

5 (i) instruct the voter about the operation of the voting system; and

6 (ii) allow the voter an opportunity to operate a model voting device,
7 if appropriate to the voting system in use.

8 (2) (i) 1. After a voter enters the voting booth, at the request of the
9 voter, two election judges representing different political parties shall instruct the
10 voter on the operation of the voting device.

11 2. An election judge may not suggest in any way how the
12 voter should vote for a particular ticket, candidate, or position on a question.

13 3. After instructing the voter, the election judges shall exit
14 the voting booth and allow the voter to vote privately.

15 (ii) A voter may take into the polling place any written or printed
16 material to assist the voter in marking or preparing the ballot.

17 (3) (i) Except as provided in subparagraph (ii) of this paragraph, a
18 voter who requires assistance in marking or preparing the ballot because of a physical
19 disability or an inability to read the English language may choose any individual to
20 assist the voter.

21 (ii) A voter may not choose the voter's employer or agent of that
22 employer or an officer or agent of the voter's union to assist the voter in marking the
23 ballot.

24 (4) If the voter requires the assistance of another in voting, but declines
25 to select an individual to assist, an election judge, in the presence of another election
26 judge that represents another political party, shall assist the voter in the manner
27 prescribed by the voter.

28 (5) An individual assisting a voter may not suggest in any way how the
29 voter should vote for a particular ticket, candidate, or position on a question.

30 (6) If a voter requires assistance under [paragraphs] PARAGRAPH (4) or
31 (5) of this subsection, the election judge shall record, on a form prescribed by the State
32 Board, the name of the voter who required assistance and the name of the individual
33 providing assistance to the voter.

34 (7) Except as provided in [paragraphs] PARAGRAPH (3) or (4) of this
35 subsection, a person [over the age of 10 years] OTHER THAN A MINOR CHILD OF A
36 VOTER may not accompany [a] THE voter into a voting booth.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2003.