

SENATE BILL 23

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2003 Regular Session  
3r0265  
CF 3r1429

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By: ~~Senator Green~~ **Senators Green and Harris**  
Introduced and read first time: January 13, 2003  
Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: February 6, 2003

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CHAPTER \_\_\_\_\_

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;

- 1 (3) polling place staff;
- 2 (4) a member or other representative of the State Board or local board;
- 3 (5) an accredited watcher or challenger under § 10-311 of this subtitle;
- 4 (6) a MINOR child [under the age of 11] who accompanies a voter in  
5 accordance with § 10-310(c) of this subtitle; and
- 6 (7) any other individual authorized by the State Board or local board.

7 10-310.

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

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

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

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

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

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

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

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

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

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

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

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

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

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