Unofficial Copy G1

Annotated Code of Maryland

25

2003 Regular Session 3lr1477

By: Senator Stone (Chairman, Ethics and Election Law Subcommittee) Introduced and read first time: January 31, 2003 Assigned to: Education, Health, and Environmental Affairs						
Committee Report: Favorable with amendments Senate action: Adopted Read second time: March 7, 2003						
	econd time. Match 7, 2003					
	CHAPTER					
1 Al	N ACT concerning					
2	Election Law - Miscellaneous Technical and Clarifying Corrections					
3 FC 4 5 6 7 8 9 10 11 12 13 14 15	oR the purpose of making certain technical and clarifying corrections to the State election law relating to changes to precinct boundaries and polling places, changes in a voter's party affiliation, changes to the voter registry when a voter moves, the transmittal of certified copies of election results following certain elections, the canvass of certain primary election results for an election to fill a vacancy in the office of representative in Congress, and the deposit or use of certain contributions of money that are received by certain persons prior to the General Assembly session; altering a certain definition; repealing a certain provision relating to the certification of certain election results by the State Board; repealing a certain provision relating to the transmission of certain campaign finance reports by certain persons to the campaign finance entities of candidates; and generally relating to technical and clarifying corrections to the State election law.					
17 18 19 20 21	Y repealing and reenacting, with amendments, Article - Election Law Section 2-303, 3-303, 3-504, 6-101(f), 11-401, 11-501, 11-603, 13-235, and 13-305 Annotated Code of Maryland (2003 Volume) Y repealing Article - Election Law Section 13-306					

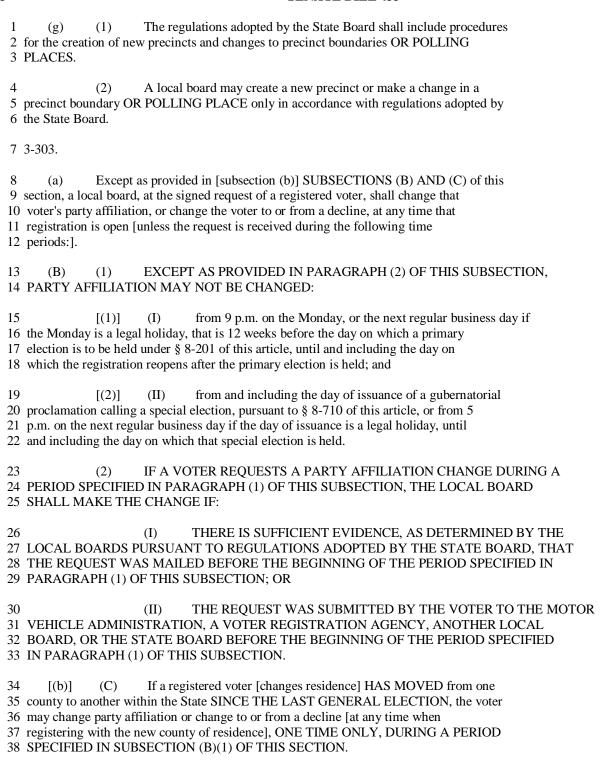
31

34 emergency exists.

SENATE BILL 433 1 (2003 Volume) 2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 3 MARYLAND, That the Laws of Maryland read as follows: 4 **Article - Election Law** 5 2-303. As it deems it expedient for the convenience of voters, a local board may: 6 (a) 7 (1) create and alter the boundaries for precincts in the county; 8 (2) designate the location for polling places in any election district, ward, 9 or precinct in the county; and 10 (3) combine or abolish precincts. 11 Except as provided in subsection (e) of this section, a local board may not (b) 12 create or change a precinct boundary or polling place during the period beginning the 13 Tuesday that is 13 weeks prior to a primary election, through the day of the general 14 election. 15 Any precinct boundary established by a local board subsequent to July 1, 16 1987 shall follow visible features as defined by the Bureau of the Census, United 17 States Department of Commerce. 18 (d) Within 5 days of creating a new precinct or changing a precinct boundary, 19 a local board shall send to the State Administrator a written description of the new 20 boundary and a map of the area involved. 21 Unless the action is approved in advance by the State Administrator, (e) 22 during the period January 1, in the second year preceding the decennial census, 23 through [December 1, in the second year following the decennial census] THE 24 EFFECTIVE DATE OF ANY REDISTRICTING BASED ON THE CENSUS, a local board may 25 not create a new precinct or change a precinct boundary. Upon receipt of the written description and map relating to a precinct 26 27 boundary established during the period described in paragraph (1) of this subsection, 28 the State Administrator shall immediately forward the documents to the Secretary of 29 the Department of Planning and the Executive Director of the Department of 30 Legislative Services.

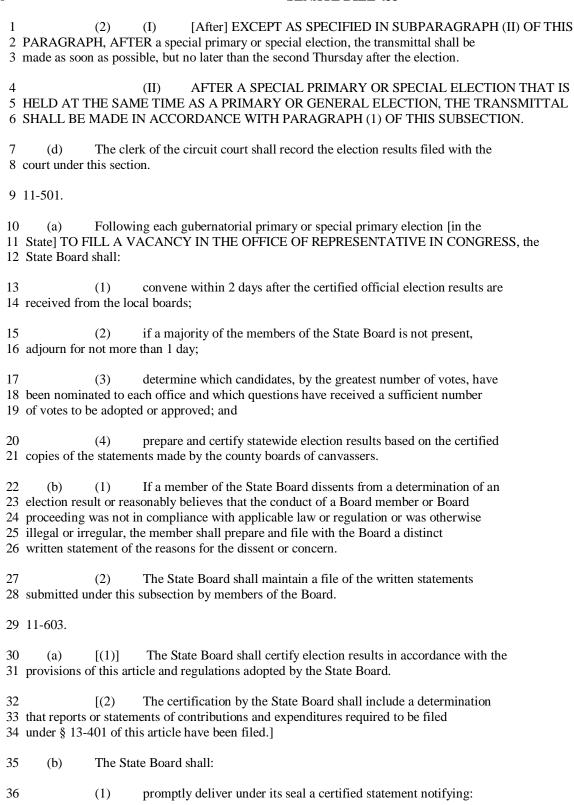
Notwithstanding any restrictions imposed by this section, subject to the

32 approval of the State Board, a local board may create a new precinct or change a 33 precinct boundary OR POLLING PLACE if the local board determines that an



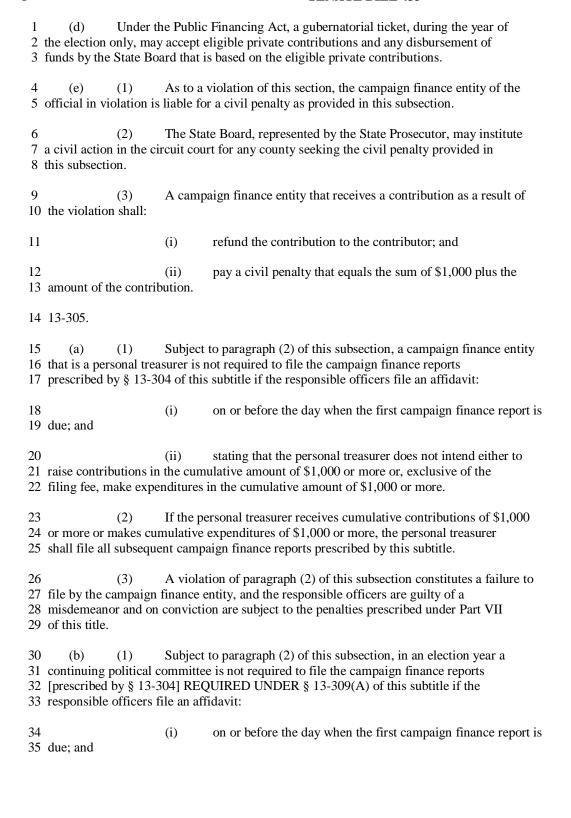
3 4	[(c)] (D) An individual whose registration has been canceled at the individual's request within a period [closed to changes in party affiliation] SPECIFIED IN SUBSECTION (B) OF THIS SECTION may not reregister in the same county during the same period with a party affiliation or nonaffiliation different from the previous registration.
6	3-504.
7	(a) (1) In this section the following words have the meanings indicated.
8 9	(2) "Confirmation notice" means a notice, approved by the State Board, that is sent by forwardable mail with a return card.
10 11	(3) "Return card" means a postage prepaid and preaddressed card on which the voter may report the voter's current address.
14	(b) Upon receiving any information that a voter currently registered in the [county] STATE has moved to a different address within the [county] STATE, the APPROPRIATE election director shall change the voter's record and send the voter a confirmation notice.
18 19 20	(c) If it appears from information provided by the postal service or an agency specified in § 3-505(b) of this subtitle that a voter has moved to a different address outside the [county] STATE, the election director IN THE COUNTY WHERE THE VOTER IS MOST RECENTLY REGISTERED shall send the voter a confirmation notice informing the voter of his or her potential inactive status as described in subsection (f) of this section.
22 23	(d) Upon receipt of a return card, the election director shall make any needed corrections in the Board's records to reflect the voter's current residence.
24 25	(e) The election director may not remove a voter from the registry on the grounds of a change of address unless:
26 27	(1) THE VOTER'S REGISTRATION HAS BEEN TRANSFERRED TO ANOTHER COUNTY;
28 29	(2) the voter confirms in writing that the voter has changed residence to a location outside the [county in which the voter is registered] STATE; or
30 31	[(2)] (3) (i) the voter has failed to respond to [the] A confirmation notice UNDER SUBSECTION (C) OF THIS SECTION; and
	(ii) the voter has not voted or appeared to vote (and, if necessary, corrected the record of the voter's address) in an election during the period beginning with the date of the notice through the next two general elections.
35 36	(f) (1) If a voter fails to respond to a confirmation notice [sent based on information that the voter moved to a different residence outside the local board's

	jurisdiction] UNDER SUBSECTION (C) OF THIS SECTION, the voter's name shall be placed on a list of inactive voters.								
5	(2) Upon written affirmation that an inactive voter remains a resident of the [same county] STATE, the voter may be allowed to vote either at the election district or precinct for the voter's current residence or the voter's previous residence, as determined by the State Board, and shall be restored to the registry.								
7 8	(3) An inactive voter who fails to vote in an election in the period ending with the second general election shall be removed from the registry.								
9 10	(4) Individuals whose names have been placed on the inactive list may not be counted as part of the registry.								
	Registrants placed on the inactive list shall be counted only for purposes of voting and not for official administrative purposes including petition signature verification, establishing precincts, and reporting official statistics.								
14	<u>6-101.</u>								
15	(f) "Legal authority" means:								
16	(1) the Attorney General; or								
	(2) as to a local petition, the [county attorney or law department] COUNSEL TO THE LOCAL BOARD APPOINTED UNDER § 2-205 OF THIS ARTICLE for that county.								
20	11-401.								
	(a) (1) After each election, each board of canvassers shall transmit one certified copy of the election results in its county, attested by the signatures of the chairperson and secretary of the board of canvassers, to:								
24	(i) the Governor;								
25	(ii) the State Board of Elections; and								
26	(iii) the clerk of the circuit court for the appropriate county.								
27	(2) The statement may be mailed or delivered in person.								
	(b) After each general election in which votes have been cast for a write-in candidate, each board of canvassers shall transmit a statement of returns of the votes cast for write-in candidates who have filed a certificate of candidacy.								
	(c) (1) The transmittal shall be made on the second Friday after a primary or general election or, if the canvass is completed after that date, within 48 hours after the completion of the canvass.								



32 official is a filed candidate.

			(*)						
1			(i)	each individual who is declared elected;					
2			(ii)	each individual who is continued in office;					
3	in the case of	the elect	(iii) tion of a	the Secretary and presiding officer of the United States Senate, United States Senator to represent the State; and					
	Representative Representative			the Clerk and presiding officer of the United States House of the election of a member of the House of e State; and					
	(2) publish a sufficient number of copies of the certified statements of the votes cast throughout the State that are delivered to it by the Board of State Canvassers and make the copies available to the public at cost.								
11	13-235.								
12	(a)	This sec	tion appl	ies to the following officials:					
13	((1)	the Gov	ernor;					
14	((2)	the Lieu	tenant Governor;					
15	((3)	the Atto	rney General;					
16	((4)	the Com	aptroller; and					
17	((5)	a memb	er of the General Assembly.					
20 21 22	8 (b) Except as provided in subsection (c) or (d) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate for federal, State, or local office, or a campaign finance entity of the candidate OR ANY OTHER CAMPAIGN FINANCE ENTITY ORGANIZED UNDER THIS TITLE AND OPERATED IN COORDINATION WITH A CANDIDATE:								
24	((1)	receive a	a contribution;					
25	((2)	conduct	a fund-raising event;					
26	((3)	solicit o	r sell a ticket to a fund-raising event; or					
27 28		(4) MONE		or [otherwise] use any contribution [regardless of when it is WAS NOT DEPOSITED PRIOR TO THE SESSION.					
	behalf of the	official,	is not su	bject to this section when engaged in activities solely					



2	each election	to be he	(11) ld in that	_	hat the continuing political committee, with respect to			
3	the closing da	ate of its	last camp	1. paign fina	has not received contributions or made expenditures since ance report; and			
5 6	expenditures.			2.	does not intend to receive contributions or make			
	(2) If the continuing political committee receives contributions or makes expenditures in connection with an election in that year, the continuing political committee shall:							
10			(i)	notify th	e State Board in writing within 14 days; and			
11 12	subtitle.		(ii)	file all s	ubsequent campaign finance reports prescribed by this			
	3 (3) A violation of paragraph (2) of this subsection is a failure to file by the campaign finance entity, and the responsible officers are guilty of a misdemeanor and on conviction are subject to the penalties prescribed under Part VII of this subtitle.							
16	[13-306.							
19	(a) Regardless of the purpose for which a political committee is formed, if the political committee directly or indirectly spends \$51 or more to aid or oppose the nomination or election of a candidate, a campaign finance report shall be submitted in accordance with this section.							
21	(b)	The cam	npaign fin	ance rep	ort required under this section shall be:			
22		(1)	signed b	y:				
23 24	or		(i)	the treas	surer of a political committee other than a political club;			
25			(ii)	an office	er of a political club; and			
26 27	aided.	(2)	submitte	ed to the t	creasurer of the campaign finance entity that was			
	3 (c) A campaign finance entity that receives a campaign finance report submitted under this section shall file that report with the campaign finance report it files under § 13-304 of this subtitle.							
31 32	(d) This section does not require a political club to report any expenditure other than a contribution of money to a campaign finance entity of a candidate.]							
33 34	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.							