

HOUSE BILL 18

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2004 Regular Session
(4lr0290)

ENROLLED BILL

-- *Ways and Means/Education, Health, and Environmental Affairs* --

Introduced by ~~Delegate Cryor~~ **Delegates Cryor, Aumann, Bates, Boschert, Boutin, Bozman, Bromwell, Cadden, Cardin, V. Clagett, Conroy, Conway, DeBoy, Dumais, Eckardt, Elmore, Frank, Frush, Gordon, Hubbard, Impallaria, James, Kach, Kaiser, King, Krebs, Leopold, Madaleno, Marriott, McDonough, Menes, Morhaim, Murray, Myers, Parker, Petzold, Sophocleus, Sossi, Stull, Walkup, and Weldon**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Polling Places - Access by Minors**

3 FOR the purpose of altering the maximum age at which an individual may
4 accompany an adult in a voting room and voting booth at a polling place under
5 certain circumstances; prohibiting more than a certain number of individuals
6 from accompanying a voter in a voting room or voting booth under certain
7 circumstances; and making stylistic changes.

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

1 (2003 Volume and 2003 Supplement)

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 10-308.

6 (A) An election judge shall allow the following individuals to have access to the
7 voting room at a polling place:

8 (1) a voter;

9 (2) an individual who accompanies a voter in need of assistance in
10 accordance with § 10-310(c) of this subtitle;

11 (3) polling place staff;

12 (4) a member or other representative of the State Board or local board;

13 (5) an accredited watcher or challenger under § 10-311 of this subtitle;

14 (6) [a child] AN INDIVIDUAL under the age of [11] ~~15~~ 13 who
15 accompanies a voter in accordance with § 10-310(c) of this subtitle, PROVIDED THAT
16 THE INDIVIDUAL IS IN THE CARE OF THE VOTER AND DOES NOT DISRUPT OR
17 INTERFERE WITH NORMAL VOTING PROCEDURES; and

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

19 (B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A)(6) OF THIS
20 SECTION, NOT MORE THAN TWO INDIVIDUALS UNDER THE AGE OF 13 MAY
21 ACCOMPANY A VOTER IN ACCORDANCE WITH § 10-310(C) OF THIS SUBTITLE.

22 10-310.

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

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

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

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

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

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

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

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

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

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

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

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

22 (7) Except as provided in [paragraphs] PARAGRAPH (3) or (4) of this
23 subsection, [a person] AN INDIVIDUAL over the age of [10] ~~14~~ 12 years may not
24 accompany a voter into a voting booth.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 ~~October~~ June 1, 2004.