

HOUSE BILL 18

Unofficial Copy
G1
HB 36/03 - W&M

2004 Regular Session
4r0290

(PRE-FILED)

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

Requested: July 7, 2003
Introduced and read first time: January 14, 2004
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 2004

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
12 (2003 Volume and 2003 Supplement)

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

1 **Article - Election Law**

2 10-308.

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

5 (1) a voter;

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

8 (3) polling place staff;

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

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

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

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

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

19 10-310.

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

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

23 (ii) allow the voter an opportunity to operate a model voting device,
24 if appropriate to the voting system in use.25 (2) (i) 1. After a voter enters the voting booth, at the request of the
26 voter, two election judges representing different political parties shall instruct the
27 voter on the operation of the voting device.28 2. An election judge may not suggest in any way how the
29 voter should vote for a particular ticket, candidate, or position on a question.30 3. After instructing the voter, the election judges shall exit
31 the voting booth and allow the voter to vote privately.32 (ii) A voter may take into the polling place any written or printed
33 material to assist the voter in marking or preparing the ballot.

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

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

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

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

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

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

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2004.