
By: ~~Delegates Patterson, Gordon, Healey, Howard, King, and Marriott~~
Marriott, Barve, Cardin, and Heller

Introduced and read first time: February 5, 2004

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Voter's Change of Party Affiliation -~~Deadline~~**

3 FOR the purpose of altering the deadline for a voter to change the voter's party
4 affiliation; altering the provision of law concerning the time period for the
5 submission of a certain voter registration report to the State Board of Elections
6 to require a local board of elections to submit the report to the State Board when
7 it is directed to do so by the State Board; and generally relating to ~~the deadline~~
8 ~~to change voters' change of party affiliations.~~

9 BY repealing and reenacting, with amendments,
10 Article - Election Law
11 Section 3-303 ~~and 3-509(a)~~
12 Annotated Code of Maryland
13 (2003 Volume and 2003 Supplement)

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

16 **Article - Election Law**

17 3-303.

18 (a) Except as provided in [subsections] SUBSECTION (b) [and (c)] of this
19 section, a local board, at the signed request of a registered voter, shall change that
20 voter's party affiliation, or change the voter to or from a decline, at any time that
21 registration is open.

1 (b) (1) Except as provided in paragraph (2) of this subsection, party
2 affiliation may not be changed:

3 (i) from 9 p.m. on the [Monday, or the next regular business day if
4 the Monday is a legal holiday, that is 12 weeks before the day on which a primary
5 election is to be held under § 8-201 of this article,] 21ST DAY PRECEDING THE
6 PRIMARY ELECTION until and including the day on which the registration reopens
7 after the primary election is held; and

8 (ii) from and including the day of issuance of a gubernatorial
9 proclamation calling a special election, pursuant to § 8-710 of this article, or from 5
10 p.m. on the next regular business day if the day of issuance is a legal holiday, until
11 and including the day on which that special election is held.

12 (2) If a voter requests a party affiliation change during a period specified
13 in paragraph (1) of this subsection, the local board shall make the change if:

14 (i) there is sufficient evidence, as determined by the local boards
15 pursuant to regulations adopted by the State Board, that the request was mailed
16 before the beginning of the period specified in paragraph (1) of this subsection; or

17 (ii) the request was submitted by the voter to the Motor Vehicle
18 Administration, a voter registration agency, another local board, or the State Board
19 before the beginning of the period specified in paragraph (1) of this subsection.

20 (c) [If a registered voter has moved from one county to another within the
21 State since the last general election, the voter may change party affiliation or change
22 to or from a decline, one time only, during a period specified in subsection (b)(1) of this
23 section.

24 (d)] An individual whose registration has been canceled at the individual's
25 request within a period specified in subsection (b) of this section may not reregister in
26 the same county during the same period with a party affiliation or nonaffiliation
27 different from the previous registration.

28 3-509.

29 (a) [Within 15 days after the commencement of the period under § 3-303(a) of
30 this title in which registered voters are not allowed to change party affiliation or
31 change to or from a decline, and at other times as] WHEN directed by the State Board,
32 each local board shall submit to the State Board a report of registration setting forth
33 the following information, as shown on the registry of the respective local board as of
34 the date of the commencement of the period:

35 (1) the name of each political party with which one or more registered
36 voters in their respective jurisdiction are then affiliated; and

37 (2) the total number of registered voters affiliated with each such
38 political party.

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