
By: **Delegate Barve**

Introduced and read first time: February 20, 2004

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Change of Party Affiliation - Time Period**

3 FOR the purpose of altering the period during which a registered voter may change
4 the voter's party affiliation; repealing the provision that prohibits a voter,
5 subject to certain exceptions, from changing the voter's party affiliation during
6 a certain period that begins before a primary until a certain period after the
7 primary election; requiring a local board to change, under certain
8 circumstances, a voter's party affiliation at any time that registration is open;
9 repealing a provision that requires a local board to submit certain information to
10 the State Board of Elections within a certain time period; requiring a local board
11 to submit a certain voter registration report to the State Board when it is
12 directed by the State Board to do so; and generally relating to a voter's change of
13 party affiliation.

14 BY repealing and reenacting, with amendments,
15 Article - Election Law
16 Section 3-303 and 3-509
17 Annotated Code of Maryland
18 (2003 Volume and 2003 Supplement)

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

21 **Article - Election Law**

22 3-303.

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

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

1 (i) from 9 p.m. on the Monday, or the next regular business day if
2 the Monday is a legal holiday, that is 12 weeks before the day on which a primary
3 election is to be held under § 8-201 of this article, until and including the day on
4 which the registration reopens after the primary election is held; and

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

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

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

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

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

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

25 3-509.

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

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

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

36 (b) Within 5 days after the receipt of all reports of registration from local
37 boards, the State Board shall determine and issue a statement of registration setting
38 forth, on the basis of the reports of registration received from the local boards, the
39 following:

1 (1) the name of each political party with which one or more registered
2 voters in the State are affiliated;

3 (2) the total number of registered voters affiliated with each such
4 political party;

5 (3) the total number of registered voters in the State; and

6 (4) the percentage of the total number of registered voters in the State
7 that are affiliated with each such political party, such percentage to be carried out to
8 two or more decimal places.

9 (c) Each board shall provide reports of registration and other registration
10 related activity as may be required by the State.

11 (d) The statements of registration shall be retained in the office of the State
12 Board for a period of at least 6 years and shall be available for inspection during
13 normal working hours by any interested person.

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