

SENATE BILL 95

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G1

2004 Regular Session  
(4r0448)

ENROLLED BILL

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

Introduced by **Senator Green**

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.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Election Law - ~~Voting - Minors Accompanying Voters~~ Polling Places - Access**  
3 **by Minors**

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

10 BY repealing and reenacting, with amendments,  
11 Article - Election Law  
12 Section 10-308 and 10-310(c)  
13 Annotated Code of Maryland  
14 (2003 Volume and 2003 Supplement)

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

3 **Article - Election Law**

4 10-308.

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

7 (1) a voter;

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

10 (3) polling place staff;

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

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

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

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

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

21 10-310.

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

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

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

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

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

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

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

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

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

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

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

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

20 (7) Except as provided in [paragraphs] PARAGRAPH (3) or (4) of this  
21 subsection, ~~a person~~ AN INDIVIDUAL over the age of [10] ~~13~~ 12 years may not  
22 accompany a voter into a voting booth.

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