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By: **Senator Green**
Introduced and read first time: January 19, 2004
Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 10, 2004

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CHAPTER_____

1 AN ACT concerning

2 **Election Law - Voting - Minors Accompanying Voters**

3 FOR the purpose of altering the maximum age at which a child may accompany a
4   voter in the voting booth at a polling place; making stylistic changes; and
5   generally relating to minors accompanying voters in a voting booth.

6 BY repealing and reenacting, with amendments,
7   Article - Election Law
8   Section 10-308 and 10-310(c)
9   Annotated Code of Maryland
10   (2003 Volume and 2003 Supplement)

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

13 **Article - Election Law**

14 10-308.

15   An election judge shall allow the following individuals to have access to the
16 voting room at a polling place:

17   (1)   a voter;

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

20   (3)   polling place staff;

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

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

3   (6)   a child under the age of [11] 14 who accompanies [a] THE voter in
4 accordance with § 10-310(c) of this subtitle; and

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

6 10-310.

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

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

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

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

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

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

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

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

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

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

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

34   (6)   If a voter requires assistance under [paragraphs] PARAGRAPH (4) or
35 (5) of this subsection, the election judge shall record, on a form prescribed by the State

1 Board, the name of the voter who required assistance and the name of the individual
2 providing assistance to the voter.

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

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