

(PRE-FILED)

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By: **Delegate Goodwin**

Requested: August 12, 2004

Introduced and read first time: January 12, 2005

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education - Voter Registration - Baltimore City High School Students**

3 FOR the purpose of requiring the State Board of Education to designate certain public  
4 high schools in Baltimore City as voter registration agencies; requiring certain  
5 public high schools in Baltimore City to distribute a voter registration  
6 application to certain students on a certain date; requiring the Chief Executive  
7 Officer of Baltimore City Public Schools to designate certain individuals to  
8 develop and implement a voter registration program for certain students; and  
9 generally relating to voter registration for Baltimore City high school students.

10 BY repealing and reenacting, with amendments,

11 Article - Education

12 Section 4-304(b)

13 Annotated Code of Maryland

14 (2004 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article - Election Law

17 Section 3-102 and 3-201

18 Annotated Code of Maryland

19 (2003 Volume and 2004 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article - Election Law

22 Section 3-204

23 Annotated Code of Maryland

24 (2003 Volume and 2004 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

26 MARYLAND, That the Laws of Maryland read as follows:

1

**Article - Education**

2 4-304.

3 (b) The Chief Executive Officer shall:

4 (1) Be responsible for the overall administration of the Baltimore City  
5 Public School System;

6 (2) Report directly to the Board;

7 (3) Be a member of the cabinet of the Mayor; and

8 (4) Designate individuals with primary responsibility for each of the  
9 following functions:10 (i) Management and administration of the Baltimore City Public  
11 School System;12 (ii) Assessment and accountability of the academic performance of  
13 the students in the Baltimore City Public School System;14 (iii) Provision of services to students with disabilities in accordance  
15 with federal and State law;16 (iv) Development and implementation of initiatives for educational  
17 reform; [and]

18 (v) Professional hiring and development; AND

19 (VI) DEVELOPMENT AND IMPLEMENTATION OF A VOTER  
20 REGISTRATION PROGRAM FOR ELIGIBLE HIGH SCHOOL STUDENTS ON THE FOURTH  
21 WEDNESDAY OF APRIL OF EACH YEAR AS PROVIDED UNDER § 3-204(D) OF THE  
22 ELECTION LAW ARTICLE.

23

**Article - Election Law**

24 3-102.

25 (a) Except as provided in subsection (b) of this section, an individual may  
26 become registered to vote if the individual:

27 (1) is a citizen of the United States;

28 (2) is at least 18 years old or will be 18 years old on or before the day of  
29 the next succeeding general or special election;30 (3) is a resident of the county as of the day the individual seeks to  
31 register; and

32 (4) registers pursuant to this title.

1 (b) An individual is not qualified to be a registered voter if the individual:

2 (1) has been convicted of theft or other infamous crime, unless the  
3 individual:

4 (i) has been pardoned; or

5 (ii) 1. in connection with a first conviction, has completed the  
6 court-ordered sentence imposed for the conviction, including probation, parole,  
7 community service, restitutions, and fines; or

8 2. in connection with a subsequent conviction, has completed  
9 the court-ordered sentence imposed for the conviction, including probation, parole,  
10 community service, restitutions, and fines, and at least 3 years have elapsed since the  
11 completion of the court-ordered sentence imposed for the conviction, including  
12 probation, parole, community service, restitutions, and fines;

13 (2) is under guardianship for mental disability; or

14 (3) has been convicted of buying or selling votes.

15 (c) Notwithstanding subsection (b) of this section, an individual is not  
16 qualified to be a registered voter if the individual has been convicted of a second or  
17 subsequent crime of violence, as defined in § 14-101 of the Criminal Law Article.

18 3-201.

19 An individual may apply to become a registered voter:

20 (1) at a local board office or the State Board office;

21 (2) at a registration site administered by a local board;

22 (3) by mail;

23 (4) when applying to the Motor Vehicle Administration for the issuance,  
24 renewal, or modification of a driver's license or identification card;

25 (5) when applying for services at a voter registration agency; or

26 (6) with the assistance of a volunteer authorized by the State or local  
27 board.

28 3-204.

29 (a) (1) The State Board shall designate public agencies and  
30 nongovernmental agencies as voter registration agencies where qualified individuals  
31 may apply to register to vote.

32 (2) The State Board shall designate the following offices as voter  
33 registration agencies:

- 1 (i) all offices in the State that provide public assistance;
- 2 (ii) all offices in the State that provide State-funded programs  
3 primarily engaged in providing services to individuals with disabilities; [and]
- 4 (iii) all public institutions of higher education in the State; AND
- 5 (IV) ALL PUBLIC HIGH SCHOOLS IN BALTIMORE CITY.

6 (3) The State Board and the Secretary of Defense shall jointly develop  
7 and implement procedures for persons to apply to register to vote at recruitment  
8 offices of the armed forces of the United States, which shall be deemed voter  
9 registration agencies.

10 (b) Except for a public institution of higher education in the State AND A  
11 PUBLIC HIGH SCHOOL IN BALTIMORE CITY, which [institution] shall comply with the  
12 requirements of subsection (c) OR (D) of this section, AS APPROPRIATE, each voter  
13 registration agency, as provided in subsection (a)(2) and (3) of this section, shall:

14 (1) distribute a voter registration application approved by the State  
15 Board or the Federal Election Commission with each application for service or  
16 assistance it renders and with each recertification, renewal, or change of address  
17 form relating to such service or assistance;

18 (2) provide a document to prospective registrants that includes:

19 (i) the question, "If you are not registered to vote where you live  
20 now, would you like to apply to register to vote here today?";

21 (ii) if the agency provides public assistance, the statement,  
22 "Applying to register or declining to register to vote will not affect the amount of  
23 assistance that you will be provided by this agency.";

24 (iii) boxes for the applicant to check to indicate whether the  
25 applicant would like to register or declines to register to vote together with the  
26 statement (in close proximity to the boxes and in prominent type), "If you do not check  
27 either box, you will be considered to have decided not to register to vote at this time.";

28 (iv) the statement, "If you would like help in filling out the voter  
29 registration application form, we will help you. The decision whether to seek or accept  
30 help is yours. You may fill out the application form in private.";

31 (v) the statement, "If you believe that someone has interfered with  
32 your right to register or to decline to register to vote, your right to privacy in deciding  
33 whether to register or in applying to register to vote, or your right to choose your own  
34 political party or other political preference, you may file a complaint with the State  
35 Board of Elections"; and

36 (vi) the address and toll free telephone number of the State Board;

1 (3) provide each applicant who does not decline to register to vote and  
2 who accepts assistance the same degree of assistance with regard to completion of the  
3 registration application as is provided by the office with regard to the completion of  
4 its own applications, unless the applicant refuses such assistance; and

5 (4) accept the completed voter registration application for transmittal to  
6 the appropriate election board.

7 (c) At the time that an individual enrolls, registers, or pays for course work  
8 provided by a public institution of higher education in the State, the institution shall  
9 provide the individual with an opportunity to request a voter registration application.  
10 If the individual requests a voter registration application, the institution shall  
11 provide, or cause to be provided, an application to the individual.

12 (d) ON THE FOURTH WEDNESDAY IN APRIL OF EACH YEAR, A PUBLIC HIGH  
13 SCHOOL IN BALTIMORE CITY SHALL DISTRIBUTE A VOTER REGISTRATION  
14 APPLICATION TO EACH STUDENT WHO MEETS THE ELIGIBILITY REQUIREMENTS  
15 UNDER § 3-102 OF THIS TITLE.

16 (E) An applicant may mail the voter registration application to the  
17 appropriate State election official or return it to the voter registration agency for  
18 transmittal to the appropriate election official.

19 [(e)] (F) Within 5 days from the acceptance of a voter registration application,  
20 the voter registration agency shall forward the application to the appropriate State  
21 election official.

22 [(f)] (G) If a voter registration agency is an office described in subsection  
23 (a)(2)(ii) of this section, which provides services to an individual with a disability at  
24 the individual's home, the agency shall provide the services described in subsection  
25 (b) of this section at the individual's home.

26 [(g)] (H) (1) An individual who provides any service described in subsection  
27 (b) of this section may not:

28 (i) seek to influence an applicant's political preference or party  
29 registration;

30 (ii) display any political preference or party allegiance; or

31 (iii) make any statement to an applicant or take any action the  
32 purpose or effect of which is to lead the applicant to believe that a decision to register  
33 or not to register has any bearing on the availability of services or benefits.

34 (2) No information relating to a declination to register to vote in  
35 connection with an application made at an office designated as a voter registration  
36 agency may be used for any purpose other than the maintenance of voter registration  
37 statistics.

1                   (3)       Notwithstanding § 3-501 of this title and § 10-611 of the State  
2 Government Article, the identity of a voter registration agency through which a  
3 particular voter has registered may not be disclosed to the public.

4       [(h)]       (I)       Regulations necessary to carry out the requirements of this section  
5 and § 3-203 of this subtitle, including provisions for training the employees of voter  
6 registration agencies and the Motor Vehicle Administration, shall be adopted by the  
7 State Board in cooperation with each agency.

8       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2005.