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By: **Delegate Holmes**

Introduced and read first time: January 19, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Voter Registration - Felons**

3 FOR the purpose of altering the qualifications for voter registration to allow an  
4 individual who has been convicted of a certain crime to qualify to be a registered  
5 voter if the individual has completed the sentence imposed and been released  
6 from the custody of the Division of Correction or a local correctional facility;  
7 repealing the provision prohibiting an individual who has been convicted of a  
8 certain subsequent crime from being qualified to register to vote until at least a  
9 certain number of years have elapsed; repealing the provision that disqualifies  
10 individuals convicted a second time of certain crimes of violence from being  
11 eligible to register to vote; and generally relating to the right of certain  
12 individuals to register to vote in the State upon completion of their sentence.

13 BY repealing and reenacting, with amendments,  
14 Article - Election Law  
15 Section 3-102  
16 Annotated Code of Maryland  
17 (2003 Volume and 2004 Supplement)

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

20 **Article - Election Law**

21 3-102.

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

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

25 (2) is at least 18 years old or will be 18 years old on or before the day of  
26 the next succeeding general or special election;

27 (3) is a resident of the county as of the day the individual seeks to  
28 register; and

1 (4) registers pursuant to this title.

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

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

5 (i) has been pardoned; or

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

9 2. HAS BEEN RELEASED FROM THE CUSTODY OF THE  
10 DIVISION OF CORRECTION OR A LOCAL CORRECTIONAL FACILITY; [or

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

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

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

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

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