
By: **Delegates Dwyer, Boschert, Boteler, Boutin, Cadden, Costa, Eckardt,
Edwards, Frank, Gilleland, Impallaria, Leopold, Love, McConkey,
McDonough, McKee, McMillan, Myers, O'Donnell, Shank, Shewell,
Smigiel, Sophocleus, and Sossi**

Introduced and read first time: February 11, 2005

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Voter Registration and Voting - Proof of Citizenship and**
3 **Identity**

4 FOR the purpose of requiring that an applicant for voter registration submit proof of
5 United States citizenship with the application; specifying the types of
6 documents that an applicant must submit with an application for voter
7 registration in order to establish proof of United States citizenship; requiring an
8 election judge at the polls to qualify an individual for voting by requesting that
9 the individual present the individual's voter identification or voter registration
10 card and then verifying that the information on the voter registration card
11 matches the information in the voter registry; and generally relating to certain
12 requirements regarding the establishment of an individual's citizenship or
13 identity in order to qualify the individual for voter registration and voting.

14 BY repealing and reenacting, without amendments,
15 Article - Election Law
16 Section 3-102(a)
17 Annotated Code of Maryland
18 (2003 Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Election Law
21 Section 3-201 and 10-310(a)
22 Annotated Code of Maryland
23 (2003 Volume and 2004 Supplement)

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

1

Article - Election Law

2 3-102.

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

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

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

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

10 (4) registers pursuant to this title.

11 3-201.

12 (A) An individual may apply to become a registered voter:

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

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

15 (3) by mail;

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

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

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

21 (B) TO ESTABLISH THAT AN APPLICANT FOR VOTER REGISTRATION IS A
22 CITIZEN OF THE UNITED STATES AS REQUIRED UNDER § 3-102(A)(1) OF THIS TITLE,
23 THE APPLICANT SHALL SUBMIT WITH THE APPLICANT'S VOTER REGISTRATION
24 APPLICATION:

25 (1) A COPY OF A BIRTH CERTIFICATE OR VERIFICATION OF BIRTH IN
26 THE UNITED STATES OR A TERRITORY OF THE UNITED STATES;

27 (2) A CURRENT OR EXPIRED PASSPORT ISSUED BY THE UNITED STATES
28 OR A TERRITORY OF THE UNITED STATES; OR

29 (3) A COPY OF THE DOCUMENT ISSUED BY THE UNITED STATES
30 GOVERNMENT IDENTIFYING THE APPLICANT AS A NATURALIZED CITIZEN OF THE
31 UNITED STATES.

1 10-310.

2 (a) For each individual who seeks to vote, an election judge, in accordance
3 with instructions provided by the local board, shall:

4 (1) locate the individual's name in the precinct register and locate the
5 preprinted voting authority card and then authorize the individual to vote a regular
6 ballot;

7 (2) (i) if the individual's name is not found on the precinct register,
8 search the inactive list and if the name is found, authorize the individual to vote a
9 regular ballot; or

10 (ii) if the individual's name is not on the inactive list, refer the
11 individual for provisional ballot voting under § 9-404 of this article;

12 (3) establish the identity of the voter by requesting the voter to [state
13 the month and day of the voter's birth and comparing the response to] PRESENT THE
14 INDIVIDUAL'S VOTER IDENTIFICATION OR VOTER REGISTRATION CARD AND THEN
15 VERIFYING THAT THE INFORMATION ON THE VOTER REGISTRATION CARD MATCHES
16 the information listed in the precinct register;

17 (4) verify the address of the voter's residence;

18 (5) if any changes to the voting authority card are indicated by a voter,
19 make the appropriate changes in information on the card or other appropriate form;
20 and

21 (6) have the voter sign the voting authority card and either issue the
22 voter a ballot or send the voter to a machine to vote.

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