
By: **Senator Frosh**

Introduced and read first time: January 28, 2005

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 28, 2005

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Voters' Authority to Cast Write-In Votes**

3 FOR the purpose of repealing a provision of law that prohibits a voter from casting a
4 write-in vote in a primary election; authorizing a voter to cast a write-in vote in
5 any primary election or special election; and generally relating to a voter's right
6 to cast a write-in vote in an election.

7 BY repealing

8 Article - Election Law

9 Section 8-205

10 Annotated Code of Maryland

11 (2003 Volume and 2004 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article - Election Law

14 Section 9-210(f) and 10-313

15 Annotated Code of Maryland

16 (2003 Volume and 2004 Supplement)

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

19 **Article - Election Law**

20 [8-205.

21 A voter may not cast a write-in vote in a primary election.]

1 9-210.

2 (f) (1) In a PRIMARY ELECTION, general ELECTION, OR SPECIAL election,
3 the voter shall be afforded the opportunity to cast a write-in vote for as many
4 positions as are to be filled in a contest.

5 (2) On a document ballot, in each contest a blank line or lines for
6 write-in voting shall follow the printed names on the ballot.

7 (3) This subsection does not apply to questions or the continuance in
8 office of appellate judges.

9 10-313.

10 (a) In any PRIMARY ELECTION, general election, or special [general] election,
11 a voter may write in a name for any office.

12 (b) (1) When requested by a voter, an election judge shall provide
13 information on write-in voting.

14 (2) (i) If a voter requests information on write-in voting, an election
15 judge shall assure that the voter is fully informed of the procedure before voting.

16 (ii) If a voter is unable to write, the voter may have assistance as
17 provided in § 10-310(c) of this subtitle.

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