

BY: Senator Jacobs

AMENDMENTS TO HOUSE BILL NO. 800
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “voter;” insert “requiring that an individual who becomes a registered voter in a certain manner and is voting for the first time establish the individual’s identity in a certain manner;”; after line 13, insert:

“BY repealing and reenacting, without amendments,

Article - Election Law

Section 3-201

Annotated Code of Maryland

(2003 Volume and 2004 Supplement)”;

and in line 16, strike “and 3-602” and substitute “3-602, and 10-310”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“3-201.

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

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

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

(3) by mail;

(4) when applying to the Motor Vehicle Administration for the issuance, renewal,

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or modification of a driver's license or identification card;

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

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

(b) An individual who is at least 18 years old or will be 18 years old on or before the day of the next succeeding general or special election may be a volunteer under subsection (a)(6) of this section.”.

AMENDMENT NO. 3

On page 5, after line 34, insert:

“10-310.

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

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

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

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

(3) SUBJECT TO SUBSECTION (B) OF THIS SECTION, establish the identity of the voter by requesting the voter to state the month and day of the voter's birth and comparing the response to the information listed in the precinct register;

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

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

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

(B) IF AN INDIVIDUAL IS A FIRST TIME VOTER AND THE INDIVIDUAL APPLIED TO BECOME A REGISTERED VOTER WITH THE ASSISTANCE OF A VOLUNTEER AUTHORIZED BY THE STATE OR A LOCAL BOARD IN ACCORDANCE WITH § 3-201(A)(6) OF THIS ARTICLE, THE ELECTION JUDGE SHALL ESTABLISH THE IDENTITY OF THE INDIVIDUAL BY REQUESTING THE INDIVIDUAL TO PRESENT ONE OF THE FOLLOWING FORMS OF IDENTIFICATION:

(1) THE INDIVIDUAL'S VOTER REGISTRATION CARD;

(2) THE INDIVIDUAL'S VALID MARYLAND DRIVER'S LICENSE;

(3) ANY IDENTIFICATION CARD ISSUED TO THE INDIVIDUAL BY THE STATE, THE FEDERAL GOVERNMENT, OR ANY UNIT OF THE STATE OR THE FEDERAL GOVERNMENT;

(4) ANY EMPLOYEE IDENTIFICATION CARD OF THE INDIVIDUAL THAT CONTAINS A PHOTOGRAPH OF THE INDIVIDUAL AND IS ISSUED BY THE EMPLOYER OF THE INDIVIDUAL IN THE ORDINARY COURSE OF THE EMPLOYER'S BUSINESS; OR

(5) A COPY OF A CURRENT BILL, BANK STATEMENT, GOVERNMENT CHECK, PAYCHECK, OR GOVERNMENT DOCUMENT THAT SHOWS THE NAME OF THE INDIVIDUAL.

[(b)] (C) (1) [On the] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON completion of the procedures set forth in subsection (a) OR (B) of this section, a voter may vote in accordance with the procedures appropriate to the voting system used in the polling place.

(2) IF AN INDIVIDUAL IS UNABLE TO ESTABLISH THE INDIVIDUAL'S IDENTITY IN THE MANNER PRESCRIBED UNDER SUBSECTION (A) OR (B) OF THIS SECTION, THE INDIVIDUAL SHALL BE ISSUED A PROVISIONAL BALLOT.

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

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

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

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

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

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

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

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

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

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

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

(6) If a voter requires assistance under paragraph (4) or (5) of this subsection, the election judge shall record, on a form prescribed by the State Board, the name of the voter who required assistance and the name of the individual providing assistance to the voter.

(7) Except as provided in paragraph (3) or (4) of this subsection, an individual over the age of 12 years may not accompany a voter into a voting booth.”.