

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL NO. 712
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Rights” insert “and Voting Procedures”; in line 9, after “Elections;” insert “requiring an election judge to qualify a voter by requesting the voter to present a certain form of identification; allowing a voter who is unable to present a certain form of identification to vote under certain circumstances; prohibiting a person from voting or attempting to vote under a false form of identification;”; and in line 16, after “2-303(a)” insert “, 10-310, and 16-201”.

AMENDMENT NO. 2

On page 2, 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) establish the identity of the voter by requesting the voter to:

(Over)

(I) state the month and day of the voter's birth and comparing the response to the information listed in the precinct register; AND

(II) PRESENT ONE OF THE FOLLOWING FORMS OF IDENTIFICATION:

1. THE VOTER'S VOTER REGISTRATION CARD;
2. THE VOTER'S VALID MARYLAND DRIVER'S LICENSE;
3. ANY IDENTIFICATION CARD ISSUED TO THE VOTER BY THE STATE, THE FEDERAL GOVERNMENT, OR ANY UNIT OF THE STATE OR THE FEDERAL GOVERNMENT;
4. ANY EMPLOYEE IDENTIFICATION CARD OF THE VOTER THAT CONTAINS A PHOTOGRAPH OF THE VOTER AND IS ISSUED BY THE EMPLOYER OF THE VOTER 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 VOTER;

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

place.

(2) IF ON COMPLETION OF THE PROCEDURES SET FORTH IN SUBSECTION (A) OF THIS SECTION THE VOTER IS UNABLE TO PRESENT ONE OF THE FORMS OF IDENTIFICATION LISTED IN SUBSECTION (A)(3)(II) OF THIS SECTION, THE VOTER SHALL BE ISSUED A PROVISIONAL BALLOT.

(c) (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

(Over)

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.

16-201.

(a) A person may not willfully and knowingly:

(1) (i) impersonate another person in order to vote or attempt to vote; [or]

(ii) vote or attempt to vote under a false name; OR

(iii) VOTE OR ATTEMPT TO VOTE UNDER A FALSE FORM OF IDENTIFICATION.

(2) vote more than once for a candidate for the same office or for the same ballot question;

(3) vote or attempt to vote more than once in the same election, or vote in more than one election district or precinct;

(4) vote in an election district or precinct without the legal authority to vote in that election district or precinct;

(5) influence or attempt to influence a voter's voting decision through the use of force, threat, menace, intimidation, bribery, reward, or offer of reward;

(6) influence or attempt to influence a voter's decision whether to go to the polls to cast a vote through the use of force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward; or

(7) engage in conduct that results or has the intent to result in the denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or disability.

(b) Except as provided in § 16-1002 of this title, a person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine of not more than \$2,500 or imprisonment for not more than 5 years or both.

(c) A person who violates this section is subject to § 5-106(b) of the Courts Article.”.