

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 10, after “Act;” insert “requiring an election judge to establish certain information with regard to certain voters; requiring an election judge to qualify a voter by requesting the voter to present a certain form of identification; requiring an election judge to authorize an individual to vote a regular ballot under certain circumstances; allowing a voter who is unable to present a certain form of identification to vote by provisional ballot under certain circumstances; requiring the Motor Vehicle Administration to issue an identification card to certain voters at no charge;”; in line 16, after “2-303(a)” insert “and 10-310”; and after line 24, insert:

“BY repealing and reenacting, without amendments,

Article - Transportation

Section 12-301(a) and (h)

Annotated Code of Maryland

(2002 Replacement Volume and 2005 Supplement)

BY repealing and reenacting, with amendments,

Article - Transportation

Section 12-301(b)

Annotated Code of Maryland

(2002 Replacement Volume and 2005 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 34, insert:

“10-310.

(Over)

(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] ESTABLISH THE VOTER'S IDENTITY AND VERIFY THE VOTER'S ADDRESS AS PROVIDED IN SUBSECTION (B) OF THIS SECTION; AND

(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] ESTABLISH THE VOTER'S IDENTITY AND ESTABLISH THE VOTER'S ADDRESS AS PROVIDED IN SUBSECTION (B) OF THIS SECTION; 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[;].

(B) THE ELECTION JUDGE SHALL:

[(3)] (1) establish the VOTER'S identity [of the voter] by:

(I) 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; AND

(II) REQUIRING THE VOTER TO PRESENT A CURRENT AND VALID GOVERNMENT ISSUED PHOTO IDENTIFICATION, WHICH MAY INCLUDE:

1. A MARYLAND DRIVER'S LICENSE WHICH WAS PROPERLY ISSUED BY THE MOTOR VEHICLE ADMINISTRATION;

2. A PHOTO IDENTIFICATION ISSUED BY A GOVERNMENT ENTITY OF THIS STATE, ANOTHER STATE, OR THE UNITED STATES THAT IS AUTHORIZED TO ISSUE PERSONAL PHOTO IDENTIFICATION ;

3. A VALID PASSPORT ISSUED BY THE UNITED STATES;

4. A VALID EMPLOYEE PHOTO IDENTIFICATION CARD ISSUED BY A GOVERNMENTAL ENTITY OF THIS STATE, A LOCAL GOVERNMENT IN

THIS STATE, OR THE UNITED STATES; OR

5. A VALID MILITARY PHOTO IDENTIFICATION CARD
ISSUED BY A BRANCH OF THE UNITED STATES MILITARY;

[(4)] (2) verify the address of the voter's residence; AND

[(5)] (3) if any changes to the voting authority card are indicated by [a] THE
voter[.];

(I) make the appropriate changes in information on the card or other
appropriate form SPECIFIED BY THE STATE BOARD; and

[(6)] (II) have the voter sign the voting authority card [and either issue the voter
a ballot or send the voter to a machine to vote] OR OTHER APPROPRIATE FORM SPECIFIED
BY THE STATE BOARD.

[(b)] (C) (1) [On] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS
SECTION, ON the completion of the procedures set forth in [subsection (a)] SUBSECTIONS (A)
AND (B) of this section, [a] THE ELECTION JUDGE SHALL AUTHORIZE THE INDIVIDUAL
TO VOTE A REGULAR BALLOT.

(2) A voter may vote A REGULAR BALLOT in accordance with the
procedures appropriate to the voting system used in the polling place.

(D) THE ELECTION JUDGE SHALL REFER THE INDIVIDUAL FOR
PROVISIONAL BALLOT VOTING UNDER § 9-404 OF THIS ARTICLE IF:

(1) THE VOTER IS UNABLE TO PROVIDE IDENTIFICATION AS
REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION; OR

(2) THE VOTER INDICATES A CHANGE OF RESIDENCE.

(Over)

[(c)] (E) (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.

Article - Transportation

12-301.

(a) On application, the Administration shall issue an identification card to any individual who:

(1) Is a resident of this State;

(2) Does not have a driver's license;

(3) Presents a birth certificate or other proof of age and identity acceptable to the Administration; and

(4) Presents a completed application for an identification card on a form furnished by the Administration.

(b) (1) Except as provided in paragraph (2) of this subsection, the Administration shall establish a fee for the issuance of an identification card and for issuance of a duplicate identification card.

(2) A fee is not required if the applicant for the card:

(i) Is 65 years old or older;

(ii) Is legally blind;

(Over)

(iii) Has permanently lost the use of a leg or an arm;

(iv) Is permanently disabled so severely that the applicant cannot move without the aid of crutches or a wheelchair; [or]

(v) Has a physical or mental impairment that substantially limits a “major life activity” as defined in the federal Americans with Disabilities Act; OR

(VI) IS AT LEAST 18 YEARS OLD AND OBTAINS THE CARD FOR USE AS A VOTER IDENTIFICATION CARD WHEN VOTING.

(h) An identification card may be used as legal identification of the individual to whom it is issued for any purpose.”.