

**ENROLLED BILL**

-- Ways and Means/Education, Health, and Environmental Affairs --

Introduced by **Delegate Rosenberg**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Voters' Rights Protection Act - Clarification**

3 FOR the purpose of clarifying the circumstances under which and locations in which  
4 a person is prohibited from attiring or equipping an individual, or permitting an  
5 individual to be attired or equipped, in a certain manner in connection with an  
6 election; providing for a certain penalty; and generally relating to clarifying a  
7 certain provision of the Voters' Rights Protection Act.

8 BY repealing and reenacting, with amendments,  
9 Article - Election Law  
10 Section 16-903  
11 Annotated Code of Maryland  
12 (2003 Volume and 2005 Supplement)  
13 (As enacted by Chapter 4 of the Acts of the General Assembly of 2006)

14 BY adding to

1 Article - Election Law  
2 Section 16-1003  
3 Annotated Code of Maryland  
4 (2003 Volume and 2005 Supplement)

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

7 **Article - Election Law**

8 16-903.

9 (a) Except as provided in subsection (b) of this section, ON ELECTION DAY AT  
10 A POLLING SITE OR WITHIN AN AREA SURROUNDING THE POLLING SITE ~~PRESCRIBED~~  
11 ~~BY THE STATE BOARD AS PROVIDED UNDER § 16-206(B) OF THIS TITLE~~, a person may  
12 not attire or equip an individual, or permit an individual to be attired or equipped, in  
13 a manner which creates the appearance that the individual is performing an official  
14 or governmental function in connection with an election, including:

15 (1) wearing a public or private law enforcement or security guard  
16 uniform;

17 (2) using an armband; or

18 (3) except as required by law or by regulation adopted by the State Board  
19 in connection with ballot security activities, carrying or displaying a gun or badge  
20 within 100 feet of a polling site on election day.

21 (b) (1) A law enforcement officer or security guard who is on duty or  
22 traveling to or from duty may vote while wearing a uniform.

23 (2) a law enforcement officer who is performing an official governmental  
24 function may wear a uniform at a polling site.

25 (c) A person who violates this section is subject to the civil penalty specified  
26 under § 16-1002 of this title.

27 (D) A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS SUBJECT TO THE  
28 PENALTY SPECIFIED UNDER § 16-1003 OF THIS TITLE.

29 16-1003.

30 A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES § 16-903 OF THIS TITLE  
31 IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT  
32 MORE THAN \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 July 1, 2006.

