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By: **Delegates Marriott, Anderson, Benson, Bobo, Burns, Cane, Carter, C. Davis, Gaines, Goodwin, Haynes, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Jones, Kaiser, Kelley, Kirk, Mandel, Menes, Montgomery, Murray, Nathan-Pulliam, Niemann, Oaks, Paige, Parker, Patterson, Pugh, Ramirez, Rosenberg, Taylor, V. Turner, and Vaughn**

Introduced and read first time: February 2, 2006  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Elections - Voter Registration Eligibility Requirements - Convicted**  
3 **Criminals**

4 FOR the purpose of altering certain qualifications for voter registration; providing  
5 that an individual is not qualified to register to vote if the individual has been  
6 convicted of a felony and is awaiting or actually serving a sentence of  
7 imprisonment; repealing certain conditions relating to the eligibility of certain  
8 felons convicted of certain crimes to register to vote; modifying a certain penalty;  
9 and generally relating to voter registration eligibility requirements for  
10 individuals convicted of certain crimes.

11 BY repealing and reenacting, with amendments,  
12 Article - Election Law  
13 Section 3-102 and 16-202  
14 Annotated Code of Maryland  
15 (2003 Volume and 2005 Supplement)

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

18 **Article - Election Law**

19 3-102.

20 (a) Except as provided in subsection (b) of this section, an individual may  
21 become registered to vote if the individual:

22 (1) is a citizen of the United States;

23 (2) is at least 18 years old or will be 18 years old on or before the day of  
24 the next succeeding general or special election;

1 (3) is a resident of the State as of the day the individual seeks to register;  
2 and

3 (4) registers pursuant to this title.

4 (b) An individual is not qualified to be a registered voter if the individual:

5 (1) has been convicted of [theft or other infamous crime, unless the  
6 individual:

7 (i) has been pardoned; or

8 (ii) 1. in connection with a first conviction, has completed the  
9 court-ordered sentence imposed for the conviction, including probation, parole,  
10 community service, restitutions, and fines; or

11 2. in connection with a subsequent conviction, has completed  
12 the court-ordered sentence imposed for the conviction, including probation, parole,  
13 community service, restitutions, and fines, and at least 3 years have elapsed since the  
14 completion of the court-ordered sentence imposed for the conviction, including  
15 probation, parole, community service, restitutions, and fines] A FELONY AND IS  
16 AWAITING OR ACTUALLY SERVING A COURT-ORDERED SENTENCE OF  
17 IMPRISONMENT IMPOSED FOR THE CONVICTION; OR

18 (2) is under guardianship for mental disability[; or

19 (3) has been convicted of buying or selling votes.

20 (c) Notwithstanding subsection (b) of this section, an individual is not  
21 qualified to be a registered voter if the individual has been convicted of a second or  
22 subsequent crime of violence, as defined in § 14-101 of the Criminal Law Article].

23 (D) BEFORE ACCEPTING A PLEA OF GUILTY OR NOLO CONTENDERE TO A  
24 FELONY, AND BEFORE IMPOSING SENTENCE FOR A FELONY AFTER TRIAL, THE  
25 COURT SHALL NOTIFY THE DEFENDANT THAT CONVICTION WILL RESULT IN LOSS OF  
26 THE RIGHT TO VOTE ONLY IF AND FOR AS LONG AS THE PERSON IS INCARCERATED  
27 AND THAT VOTING RIGHTS ARE RESTORED ON DISCHARGE.

28 16-202.

29 (a) A person who has been convicted of [an infamous crime] A FELONY AND IS  
30 AWAITING OR ACTUALLY SERVING A COURT-ORDERED SENTENCE OF  
31 INCARCERATION IMPOSED FOR THE CONVICTION, and has been rendered ineligible to  
32 vote pursuant to § 3-102(b) of this article, may not vote or attempt to vote during the  
33 time that the person is rendered ineligible to vote.

34 (b) A person who violates this section is guilty of a felony and is subject to  
35 imprisonment for not less than 1 year nor more than 5 years.

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