

UNOFFICIAL COPY OF HOUSE BILL 1368
EMERGENCY BILL

G1

6lr2473
CF 6lr1972

By: ~~Delegates Hixson, Patterson~~ Patterson, Hixson, Cardin, King, and
McKee McKee, Ross, Bozman, C. Davis, Goodwin, Gordon, Healey,
Heller, Howard, Kaiser, Marriott, Ramirez, and Rosenberg Rosenberg,
and Conroy

Introduced and read first time: February 10, 2006

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 17, 2006

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Voter Bill of Rights**

3 FOR the purpose of requiring a local board of elections to establish, under certain
4 circumstances, a separate precinct to serve certain institutions of higher
5 education; requiring each institution at which a precinct is established to
6 provide certain facilities and services to the local board; requiring that local
7 boards, when establishing early voting polling places, select sites that are
8 consistent with certain guidelines and regulations established by the State
9 Board of Elections; requiring certain polling places to be equipped with a certain
10 computer device; requiring the Governor to allocate certain resources to
11 implement the requirements of this Act; requiring the Governor to appropriate
12 sufficient funds to reimburse the counties for a certain portion of certain
13 expenditures; requiring the State Administrator of Elections and the Office of
14 the Attorney General to review and report on issues related to election day voter
15 registration; making this Act an emergency measure; and generally relating to a
16 voter bill of rights.

17 BY repealing and reenacting, with amendments,
18 Article - Election Law
19 Section 2-303(a) and 10-302
20 Annotated Code of Maryland
21 (2003 Volume and 2005 Supplement)

22 BY repealing and reenacting, with amendments,

1 Article - Election Law
2 Section 10-301.1(c)(1)
3 Annotated Code of Maryland
4 (2003 Volume and 2005 Supplement)
5 (As enacted by Chapter 5 of the Acts of the General Assembly of 2006)

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

8 **Article - Election Law**

9 2-303.

10 (a) (1) [As] SUBJECT TO PARAGRAPH (2) OF THIS SECTION, AS it deems it
11 expedient for the convenience of voters, a local board may:

12 [(1)] (I) create and alter the boundaries for precincts in the county;

13 [(2)] (II) designate the location for polling places in any election district,
14 ward, or precinct in the county; and

15 [(3)] (III) combine or abolish precincts.

16 (2) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (III) OF THIS
17 PARAGRAPH, A LOCAL BOARD SHALL ESTABLISH A SEPARATE PRECINCT ON CAMPUS
18 OR WITHIN ONE-HALF MILE OF THE CAMPUS TO SPECIFICALLY SERVE A PUBLIC OR
19 PRIVATE INSTITUTION OF HIGHER EDUCATION IF THE LOCAL BOARD DETERMINES
20 THAT AT LEAST 500 STUDENTS, FACULTY, AND STAFF WHO ATTEND OR WORK AT THE
21 INSTITUTION ARE REGISTERED VOTERS IN THE PRECINCT IN WHICH THE
22 INSTITUTION IS LOCATED.

23 (II) IF, IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS
24 PARAGRAPH, A POLLING PLACE IS ESTABLISHED AT AN INSTITUTION OF HIGHER
25 EDUCATION THAT RECEIVES STATE FUNDS, THAT INSTITUTION SHALL:

26 1. PROVIDE WITHOUT CHARGE TO THE LOCAL BOARD A
27 FACILITY FOR USE AS A POLLING PLACE THAT MEETS ALL APPLICABLE
28 REQUIREMENTS UNDER THIS ARTICLE AND AS ESTABLISHED BY THE STATE BOARD;
29 AND

30 2. PROVIDE ASSISTANCE TO THE LOCAL BOARD IN
31 RECRUITING ELECTION JUDGES TO STAFF THE POLLING PLACE.

32 (III) A LOCAL BOARD MAY NOT BE REQUIRED TO ESTABLISH A
33 SEPARATE PRECINCT AS PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH
34 IF THERE IS AN ESTABLISHED PRECINCT WITHIN ONE-HALF MILE OF THE PUBLIC OR
35 PRIVATE INSTITUTION OF HIGHER EDUCATION'S CAMPUS THAT SERVES THE VOTERS
36 WHO ATTEND OR WORK AT THE PUBLIC OR PRIVATE INSTITUTION OF HIGHER
37 EDUCATION.

1 10-301.1.

2 (c) (1) (I) Each local board shall establish the early voting polling places
3 in its county.

4 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
5 PARAGRAPH, WHEN ESTABLISHING THE EARLY VOTING POLLING PLACES, THE
6 LOCAL BOARD SHALL, CONSISTENT WITH THE GUIDELINES AND REGULATIONS
7 ESTABLISHED BY THE STATE BOARD:

8 1. ~~SELECT A SITE IN THE COUNTY THAT IS~~
9 ~~GEOGRAPHICALLY CENTRAL AND EASILY ACCESSIBLE SEAT, IF ONLY ONE LOCATION~~
10 ~~IS BEING USED IN THE COUNTY; OR~~

11 2. ~~SELECT SITES FROM RECOMMENDATIONS PROVIDED BY~~
12 ~~THE CHAIRMEN OF THE LOCAL CENTRAL COMMITTEES OF THE RECOGNIZED~~
13 ~~POLITICAL PARTIES, IF MULTIPLE LOCATIONS ARE USED IN THE COUNTY SELECT:~~

14 A. ONE SITE LOCATED IN THE COUNTY SEAT FOR EACH
15 COUNTY;

16 B. AT LEAST ONE SITE LOCATED AT A COMMUNITY COLLEGE
17 IN THE COUNTY; AND

18 C. ANY ADDITIONAL SITES IN THE COUNTY ONLY FROM THE
19 RECOMMENDATIONS OF THE CHAIRMEN OF THE LOCAL CENTRAL COMMITTEES OF
20 THE RECOGNIZED POLITICAL PARTIES.

21 (III) IN BALTIMORE CITY, THE LOCAL BOARD SHALL, CONSISTENT
22 WITH THE GUIDELINES AND REGULATIONS ESTABLISHED BY THE STATE BOARD,
23 ESTABLISH EARLY VOTING POLLING PLACES AT:

24 1. MORGAN STATE UNIVERSITY;

25 2. COPPIN STATE UNIVERSITY; AND

26 3. THE DUBURNS RECREATION CENTER.

27 10-302.

28 (A) In a timely manner for each election, the local board shall provide for the
29 delivery to each polling place the supplies, records, and equipment necessary for the
30 conduct of the election.

31 (B) EACH POLLING PLACE SHALL BE EQUIPPED WITH A COMPUTER DEVICE
32 THAT CONTAINS A RECORD OF ALL REGISTERED VOTERS IN THE COUNTY AND THAT
33 IS CAPABLE OF BEING NETWORKED TO OTHER POLLING PLACE COMPUTER DEVICES.

34 SECTION 2. AND BE IT FURTHER ENACTED, That the State Administrator
35 of Elections and the Office of the Attorney General shall:

1 (1) review the efficacy of, and any legal impediments to, implementing a
2 system of election day voter registration that would allow eligible unregistered voters,
3 commencing with the 2008 primary election, to register and then vote on election day;

4 (2) (i) consult with local election officials in Maryland to ascertain the
5 impact and assess any administrative challenges associated with implementing a
6 statewide system of election day voter registration in this State; and

7 (ii) query election officials in any other states around the country
8 that have implemented statewide election day voter registration about their
9 experiences with such a system;

10 (3) note any legal impediments to implementing a statewide system of
11 election day voter registration and identify any changes to State statutory or
12 constitutional law that would be required to implement such a system;

13 (4) estimate the additional cost to the State and to the counties to
14 implement a system of election day voter registration; and

15 (5) on or before December 31, 2006, submit a report of its findings and
16 recommendations to the Governor, and, in accordance with § 2-1246 of the State
17 Government Article, to the General Assembly.

18 SECTION 3. AND BE IT FURTHER ENACTED, That the Governor shall
19 allocate the resources required to implement the requirements of this Act, including
20 any gift received by the State for the purposes of this Act under § 2-201 of the State
21 Finance and Procurement Article, and except for federal funds received by the State
22 to implement the requirements of the Help America Vote Act of 2002, any federal or
23 other special funds or grant received by the State in accordance with federal and
24 State law for the purposes of this Act.

25 SECTION 4. AND BE IT FURTHER ENACTED, That in fiscal year 2008, the
26 Governor shall appropriate sufficient funds to reimburse each county at a rate of 50%
27 of the total expenditures made during fiscal year 2007 to implement early voting,
28 including expenditures made for the purchase of electronic poll books.

29 SECTION 4. 5. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect June 1, 2006 is an emergency measure, is necessary for the immediate
31 preservation of the public health or safety, has been passed by a yea and nay vote
32 supported by three-fifths of all the members elected to each of the two Houses of the
33 General Assembly, and shall take effect from the date it is enacted.

