G1 6lr2124

By: Delegates Jennings, Boteler, Cluster, Frank, and Krebs Introduced and read first time: February 22, 2006
Assigned to: Rules and Executive Nominations

	A BILL ENTITLED
1	AN ACT concerning
2	Election Law - Voting Procedures - Identification
3 4 5 6 7	FOR the purpose of requiring an individual seeking to vote at a polling place to either display a certain photo identification or dip a certain finger into indelible ink; specifying an exception under certain circumstances; requiring the State Board of Elections to adopt certain regulations; and generally relating to polling place procedures.
8 9 10 11 12	Annotated Code of Maryland
13 14	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
15	Article - Election Law
16	10-310.
17 18	(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
25 26	(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 4	(3) SUBJECT TO SUBSECTION (B) OF THIS SECTION, establish the identity of the voter by [requesting] REQUIRING the voter to [state the month and day of the voter's birth and comparing the response] PRESENT TO THE JUDGE A CURRENT AND VALID PHOTO IDENTIFICATION AND COMPARING THE INFORMATION ON THE IDENTIFICATION to the information listed in the precinct register;					
6	(4)	verify t	he addres	s of the voter's residence;		
	(5) make the appropriat and			o the voting authority card are indicated by a voter, nation on the card or other appropriate form;		
10 11	(6) voter a ballot or ser			gn the voting authority card and either issue the chine to vote.		
12 13	(B) (1) SPECIFIED IN SU			DOES NOT PRESENT THE PHOTO IDENTIFICATION OF THIS SECTION, THE VOTER SHALL:		
	JUDGE TO COMP	(I) PARE TO		THE MONTH AND DAY OF THE VOTER'S BIRTH, FOR THE CORMATION LISTED IN THE PRECINCT REGISTER;		
	INDEX FINGER I ELECTION JUDG			RSE APPROXIMATELY 1 INCH OF THE VOTER'S RIGHT ER OF INDELIBLE PURPLE INK PROVIDED BY AN		
	(2) ELECTION JUDG DIGITS, THE REC	E SHALL	SPECIFY	LACKS THE RIGHT INDEX FINGER, THE CHIEF Y AN ALTERNATE DIGIT. IF THE VOTER LACKS ALL 10 LL BE WAIVED.		
		A) AND (I	3) of this s	on of the procedures set forth in [subsection (a)] section, a voter may vote in accordance with the vstem used in the polling place.		
26 27	[(c)] (D) an election judge sl	(1) nall:	Before a	a voter enters a voting booth, at the request of the voter,		
28		(i)	instruct	the voter about the operation of the voting system; and		
29 30	if appropriate to the	(ii) e voting sy		ne voter an opportunity to operate a model voting device, use.		
	(2) voter, two election voter on the operate			After a voter enters the voting booth, at the request of the different political parties shall instruct the vice.		
34 35	voter should vote for	or a partic	2. ular ticket	An election judge may not suggest in any way how the t, candidate, or position on a question.		

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1 2	3. After instructing the voter, the election judges shall exit the voting booth and allow the voter to vote privately.					
3	(ii) A voter may take into the polling place any written or printed material to assist the voter in marking or preparing the ballot.					
7	(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.					
14	2 (4) If the voter requires the assistance of another in voting, but declines 3 to select an individual to assist, an election judge, in the presence of another election 4 judge that represents another political party, shall assist the voter in the manner 5 prescribed by the voter.					
16 17	(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.					
20	8 (6) If a voter requires assistance under paragraph (4) or (5) of this 9 subsection, the election judge shall record, on a form prescribed by the State Board, 0 the name of the voter who required assistance and the name of the individual 1 providing assistance to the voter.					
22 23	(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.					
	SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Elections shall adopt regulations to implement § 10-310(b) of the Election Law Article, as enacted by this Act, including:					
27	(1) uniform standards for ink and containers; and					
28	(2) procedures for voters who lack the right index finger.					
29 30	SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.					