
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 FOR the purpose of requiring an individual seeking to vote at a polling place to either
4 display a certain photo identification or dip a certain finger into indelible ink;
5 specifying an exception under certain circumstances; requiring the State Board
6 of Elections to adopt certain regulations; and generally relating to polling place
7 procedures.

8 BY repealing and reenacting, with amendments,
9 Article - Election Law
10 Section 10-310
11 Annotated Code of Maryland
12 (2003 Volume and 2005 Supplement)

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

15 **Article - Election Law**

16 10-310.

17 (a) For each individual who seeks to vote, an election judge, in accordance
18 with instructions provided by the local board, shall:

19 (1) locate the individual's name in the precinct register and locate the
20 preprinted voting authority card and then authorize the individual to vote a regular
21 ballot;

22 (2) (i) if the individual's name is not found on the precinct register,
23 search the inactive list and if the name is found, authorize the individual to vote a
24 regular ballot; or

25 (ii) if the individual's name is not on the inactive list, refer the
26 individual for provisional ballot voting under § 9-404 of this article;

1 (3) SUBJECT TO SUBSECTION (B) OF THIS SECTION, establish the identity
2 of the voter by [requesting] REQUIRING the voter to [state the month and day of the
3 voter's birth and comparing the response] PRESENT TO THE JUDGE A CURRENT AND
4 VALID PHOTO IDENTIFICATION AND COMPARING THE INFORMATION ON THE
5 IDENTIFICATION to the information listed in the precinct register;

6 (4) verify the address of the voter's residence;

7 (5) if any changes to the voting authority card are indicated by a voter,
8 make the appropriate changes in information on the card or other appropriate form;
9 and

10 (6) have the voter sign the voting authority card and either issue the
11 voter a ballot or send the voter to a machine to vote.

12 (B) (1) IF THE VOTER DOES NOT PRESENT THE PHOTO IDENTIFICATION
13 SPECIFIED IN SUBSECTION (A)(3) OF THIS SECTION, THE VOTER SHALL:

14 (I) STATE THE MONTH AND DAY OF THE VOTER'S BIRTH, FOR THE
15 JUDGE TO COMPARE TO THE INFORMATION LISTED IN THE PRECINCT REGISTER;
16 AND

17 (II) IMMERSE APPROXIMATELY 1 INCH OF THE VOTER'S RIGHT
18 INDEX FINGER INTO A CONTAINER OF INDELIBLE PURPLE INK PROVIDED BY AN
19 ELECTION JUDGE.

20 (2) IF THE VOTER LACKS THE RIGHT INDEX FINGER, THE CHIEF
21 ELECTION JUDGE SHALL SPECIFY AN ALTERNATE DIGIT. IF THE VOTER LACKS ALL 10
22 DIGITS, THE REQUIREMENT SHALL BE WAIVED.

23 [(b)] (C) On the completion of the procedures set forth in [subsection (a)]
24 SUBSECTIONS (A) AND (B) of this section, a voter may vote in accordance with the
25 procedures appropriate to the voting system used in the polling place.

26 [(c)] (D) (1) Before a voter enters a voting booth, at the request of the voter,
27 an election judge shall:

28 (i) instruct the voter about the operation of the voting system; and

29 (ii) allow the voter an opportunity to operate a model voting device,
30 if appropriate to the voting system in use.

31 (2) (i) 1. After a voter enters the voting booth, at the request of the
32 voter, two election judges representing different political parties shall instruct the
33 voter on the operation of the voting device.

34 2. An election judge may not suggest in any way how the
35 voter should vote for a particular ticket, candidate, or position on a question.

