

UNOFFICIAL COPY OF SENATE BILL 124
EMERGENCY BILL

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6lr0087

By: **Chair, Education, Health, and Environmental Affairs Committee (By
Request - Departmental - Elections, State Board of)**

Introduced and read first time: January 16, 2006

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Protection of Voter's Confidential Information and Secrecy**
3 **of Absentee Ballot Results**

4 FOR the purpose of creating an exception to the requirement to verify residence
5 address of a voter whose personal information has been deemed confidential by
6 a local board; requiring an election judge to conduct a certain alternative voter
7 verification under certain circumstances; providing that certain absentee ballot
8 election results may not be reported by precinct; making this Act an emergency
9 measure; and generally relating to protecting confidential voter information and
10 the secrecy of certain absentee ballot results.

11 BY repealing and reenacting, with amendments,
12 Article - Election Law
13 Section 10-310(a) and 11-402(b)
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 10-310.

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

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

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

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

6 (3) establish the identity of the voter by requesting the voter to state the
7 month and day of the voter's birth and comparing the response to the information
8 listed in the precinct register;

9 (4) (I) EXCEPT IF A VOTER'S PERSONAL INFORMATION HAS BEEN
10 DEEMED CONFIDENTIAL BY THE LOCAL BOARD, verify the address of the voter's
11 residence; OR

12 (II) CONDUCT AN ALTERNATIVE VERIFICATION AS ESTABLISHED
13 BY THE STATE BOARD, IF THE VOTER'S PERSONAL INFORMATION HAS BEEN DEEMED
14 CONFIDENTIAL BY THE LOCAL BOARD;

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

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

20 11-402.

21 (b) The statement prepared by the board of canvassers under [subsection (a)
22 of] this section may not report the absentee vote separately by precinct.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an
24 emergency measure, is necessary for the immediate preservation of the public health
25 or safety, has been passed by a ye and nay vote supported by three-fifths of all the
26 members elected to each of the two Houses of the General Assembly, and shall take
27 effect from the date it is enacted.