
By: **Senators Harris, Brinkley, Colburn, Greenip, Hafer, Haines, Hooper,
Jacobs, Kittleman, Mooney, Munson, Pipkin, Schrader, and Stoltzfus**
Introduced and read first time: February 3, 2006
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Fraudulent Registration and Voting - Penalties**

3 FOR the purpose of specifying that a violation of certain criminal laws relating to
4 voter registration and voting shall be punished as a felony, rather than a
5 misdemeanor; increasing certain fines and terms of imprisonment to which a
6 violator will be subject; repealing certain provisions relating to procedures for
7 prosecuting a misdemeanor; and generally relating to fraudulent registration
8 and voting.

9 BY repealing and reenacting, with amendments,
10 Article - Election Law
11 Section 16-101
12 Annotated Code of Maryland
13 (2003 Volume and 2005 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Election Law
16 Section 16-201
17 Annotated Code of Maryland
18 (2003 Volume and 2005 Supplement)
19 (As enacted by Chapter 4 of the Acts of the General Assembly of 2006)

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

22 **Article - Election Law**

23 16-101.

24 (a) A person may not willfully and knowingly:

25 (1) impersonate a voter or other person in order to register or attempt to
26 register in the name of the voter or other person;

- 1 (2) register to vote more than once;
- 2 (3) falsify residence in an attempt to register in the wrong location;
- 3 (4) secure registration through any unlawful means;
- 4 (5) cause by unlawful means the name of a qualified voter to be stricken
5 from the statewide voter registration list;
- 6 (6) prevent, hinder, or delay a person having a lawful right to register
7 from registering, through the use of force, threat, menace, intimidation, bribery,
8 reward, or offer of reward;
- 9 (7) falsify any name on a registration;
- 10 (8) misrepresent any fact relating to registration; or
- 11 (9) induce or attempt to induce a person to violate any prohibition in
12 items (1) through (8) of this subsection.

13 (b) A person who violates this section is guilty of a [misdemeanor and subject
14 to a fine of not more than \$1,000 or imprisonment for not more than 5 years or both]
15 **FELONY AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$50,000 OR**
16 **IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR BOTH.**

17 [(c) A person who violates this section is subject to § 5-106(b) of the Courts
18 Article.]

19 16-201.

20 (a) A person may not willfully and knowingly:

- 21 (1) (i) impersonate another person in order to vote or attempt to vote;
22 or
- 23 (ii) vote or attempt to vote under a false name;
- 24 (2) vote more than once for a candidate for the same office or for the
25 same ballot question;
- 26 (3) vote or attempt to vote more than once in the same election, or vote in
27 more than one election district or precinct;
- 28 (4) vote in an election district or precinct without the legal authority to
29 vote in that election district or precinct;
- 30 (5) influence or attempt to influence a voter's voting decision through the
31 use of force, threat, menace, intimidation, bribery, reward, or offer of reward;

1 (6) influence or attempt to influence a voter's decision whether to go to
2 the polls to cast a vote through the use of force, fraud, threat, menace, intimidation,
3 bribery, reward, or offer of reward; or

4 (7) engage in conduct that results or has the intent to result in the denial
5 or abridgement of the right of any citizen of the United States to vote on account of
6 race, color, or disability.

7 (b) Except as provided in § 16-1002 of this title, a person who violates this
8 section is guilty of a [misdemeanor and on conviction is subject to a fine of not more
9 than \$2,500 or imprisonment for not more than 5 years or both] **FELONY AND ON
10 CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT
11 FOR NOT MORE THAN 10 YEARS OR BOTH.**

12 [(c) A person who violates this section is subject to § 5-106(b) of the Courts
13 Article.]

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