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By: **Senator Hollinger**

Introduced and read first time: February 3, 2006

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

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 the Governor to allocate certain resources to  
10 implement the requirements of this Act; requiring the State Administrator of  
11 Elections and the Office of the Attorney General to review and report on issues  
12 related to election day voter registration; and generally relating to a voter bill of  
13 rights.

14 BY repealing and reenacting, with amendments,  
15 Article - Election Law  
16 Section 2-303(a)  
17 Annotated Code of Maryland  
18 (2003 Volume and 2005 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article - Election Law  
21 Section 10-301.1(c)(1)  
22 Annotated Code of Maryland  
23 (2003 Volume and 2005 Supplement)  
24 (As enacted by Chapter 5 of the Acts of the General Assembly of 2006)

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

Article - Election Law

2 2-303.

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

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

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

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

9 (2) (I) A LOCAL BOARD SHALL ESTABLISH A SEPARATE PRECINCT TO  
10 SPECIFICALLY SERVE A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION IF  
11 THE LOCAL BOARD DETERMINES THAT AT LEAST 500 STUDENTS, FACULTY, AND  
12 STAFF WHO ATTEND OR WORK AT THE INSTITUTION ARE REGISTERED VOTERS IN  
13 THE PRECINCT IN WHICH THE INSTITUTION IS LOCATED.

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

17 1. PROVIDE WITHOUT CHARGE TO THE LOCAL BOARD A  
18 FACILITY FOR USE AS A POLLING PLACE THAT MEETS ALL APPLICABLE  
19 REQUIREMENTS UNDER THIS ARTICLE AND AS ESTABLISHED BY THE STATE BOARD;  
20 AND

21 2. PROVIDE ASSISTANCE TO THE LOCAL BOARD IN  
22 RECRUITING ELECTION JUDGES TO STAFF THE POLLING PLACE.

23 10-301.1.

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

26 (II) WHEN ESTABLISHING THE EARLY VOTING POLLING PLACES,  
27 THE LOCAL BOARD SHALL, CONSISTENT WITH THE GUIDELINES AND REGULATIONS  
28 ESTABLISHED BY THE STATE BOARD:

29 1. SELECT A SITE IN THE COUNTY THAT IS  
30 GEOGRAPHICALLY CENTRAL AND EASILY ACCESSIBLE, IF ONLY ONE LOCATION IS  
31 BEING USED IN THE COUNTY; OR

32 2. SELECT SITES FROM RECOMMENDATIONS PROVIDED BY  
33 THE CHAIRMEN OF THE LOCAL CENTRAL COMMITTEES OF THE RECOGNIZED  
34 POLITICAL PARTIES, IF MULTIPLE LOCATIONS ARE USED IN THE COUNTY.

35 SECTION 2. AND BE IT FURTHER ENACTED, That the State Administrator  
36 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 this Act shall take effect  
26 June 1, 2006.