

# HOUSE BILL 273

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HB 603/06 – W&M

71r0783

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By: **Delegates Braveboy, Ali, Anderson, Barnes, Benson, Burns, Cane, Carter, Davis, Doory, Frush, Gaines, Griffith, Harrison, Haynes, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Kirk, Lawton, Manno, Mizeur, Nathan-Pulliam, Oaks, Pena-Melnyk, Proctor, Ramirez, Robinson, Ross, Stukes, Tarrant, Taylor, Valderrama, and Vaughn**

Introduced and read first time: January 31, 2007

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Voting Rights Restoration – Ex-Offenders**

3 FOR the purpose of altering certain qualifications for voter registration; providing that  
4 an individual is not qualified to register to vote if the individual has been  
5 convicted of a felony and is awaiting or actually serving a sentence of  
6 imprisonment; repealing certain conditions relating to the eligibility of certain  
7 felons convicted of certain crimes to register to vote; modifying a certain  
8 penalty; and generally relating to voter registration eligibility requirements for  
9 individuals convicted of certain crimes.

10 BY repealing and reenacting, with amendments,  
11 Article – Election Law  
12 Section 3–102 and 16–202  
13 Annotated Code of Maryland  
14 (2003 Volume and 2006 Supplement)

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

17 **Article – Election Law**

18 3–102.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as provided in subsection (b) of this section, an individual may  
2 become registered to vote if the individual:

3 (1) is a citizen of the United States;

4 (2) is at least 18 years old or will be 18 years old on or before the day  
5 of the next succeeding general or special election;

6 (3) is a resident of the State as of the day the individual seeks to  
7 register; and

8 (4) registers pursuant to this title.

9 (b) An individual is not qualified to be a registered voter if the individual:

10 (1) has been convicted of [theft or other infamous crime, unless the  
11 individual:

12 (i) has been pardoned; or

13 (ii) 1. in connection with a first conviction, has completed  
14 the court-ordered sentence imposed for the conviction, including probation, parole,  
15 community service, restitutions, and fines; or

16 2. in connection with a subsequent conviction, has  
17 completed the court-ordered sentence imposed for the conviction, including probation,  
18 parole, community service, restitutions, and fines, and at least 3 years have elapsed  
19 since the completion of the court-ordered sentence imposed for the conviction,  
20 including probation, parole, community service, restitutions, and fines] **A FELONY  
21 AND IS AWAITING OR ACTUALLY SERVING A COURT-ORDERED SENTENCE OF  
22 IMPRISONMENT IMPOSED FOR THE CONVICTION; OR**

23 (2) is under guardianship for mental disability[; or

24 (3) has been convicted of buying or selling votes.

25 (c) Notwithstanding subsection (b) of this section, an individual is not  
26 qualified to be a registered voter if the individual has been convicted of a second or  
27 subsequent crime of violence, as defined in § 14-101 of the Criminal Law Article].

1           **(c) BEFORE ACCEPTING A PLEA OF GUILTY OR NOLO CONTENDERE TO A**  
2 **FELONY, AND BEFORE IMPOSING SENTENCE FOR A FELONY AFTER TRIAL, THE**  
3 **COURT SHALL NOTIFY THE DEFENDANT THAT CONVICTION WILL RESULT IN THE**  
4 **LOSS OF THE RIGHT TO VOTE ONLY IF AND FOR AS LONG AS THE PERSON IS**  
5 **IMPRISONED AND THAT VOTING RIGHTS ARE RESTORED ON DISCHARGE.**

6 16–202.

7           (a) A person who has been convicted of [an infamous crime] **A FELONY AND**  
8 **IS AWAITING OR ACTUALLY SERVING A COURT-ORDERED SENTENCE OF**  
9 **IMPRISONMENT IMPOSED FOR THE CONVICTION**, and has been rendered ineligible  
10 to vote pursuant to § 3–102(b) of this article, may not vote or attempt to vote during  
11 the time that the person is rendered ineligible to vote.

12           (b) A person who violates this section is guilty of a felony and is subject to  
13 imprisonment for not less than 1 year nor more than 5 years.

14           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
15 **July 1, 2007.**