

HOUSE BILL 1204

G1

71r3096
CF SB 726

By: **Delegate Ross (By Request)**

Introduced and read first time: February 21, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Maryland Student Voting Rights Act**

3 FOR the purpose of requiring certain institutions of higher education to facilitate
4 student engagement in the electoral process by undertaking certain activities
5 and policies; requiring local boards of elections to provide the general public
6 access on the Internet to certain voter registration information; repealing a
7 provision that prohibits a local board from establishing a separate precinct at a
8 certain location; specifying that an individual who attends an institution of
9 higher education in the State who resides in an on-campus residential housing
10 facility may register for the precinct in which the institution is located or at an
11 alternate address; requiring each public institution of higher education in the
12 State to provide certain individuals with the opportunity to register to vote or to
13 update a voter registration record; providing that an individual may register to
14 vote by the Internet under certain circumstances; providing that if an applicant
15 provides a full Social Security number with a voter registration application the
16 name of the applicant promptly shall be added to the voter registry pending
17 further review by the applicable local board or the State Board of Elections;
18 requiring a local board to provide a certain notice to certain applicants for voter
19 registration under certain circumstances; requiring a local board to post within
20 a certain time period after an election the names of individuals voting by
21 provisional ballot; requiring local boards to adopt a certain plan; requiring each
22 local board to ensure that polling places are staffed to a certain standard and in
23 a certain manner on election day; providing that the budget of the State Board
24 for each fiscal year shall include funding necessary to support certain staffing
25 and operations at polling places to satisfy a certain standard; requiring each
26 local board to ensure that each polling place is equipped with the number of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 voting machines specified under standards established by the State Board;
 2 requiring the State Board to ensure that a voter who casts a provisional ballot
 3 may access through the Internet information about the status of the ballot;
 4 altering the standard for determining the area at certain polling places beyond
 5 which electioneering may not take place; requiring local boards to establish
 6 certain easy voting polling places; authorizing any qualified voter to vote at an
 7 easy voting polling place; making stylistic changes; requiring the State Board to
 8 adopt certain regulations; making a part of this Act contingent on the passage
 9 and ratification of a certain constitutional amendment; and generally relating to
 10 the Maryland Student Voting Rights Act.

11 BY adding to
 12 Article – Election Law
 13 Section 1–305
 14 Annotated Code of Maryland
 15 (2003 Volume and 2006 Supplement)

16 BY repealing and reenacting, with amendments,
 17 Article – Election Law
 18 Section 2–202, 2–303(a), 3–102, 3–201, 3–202, 3–204, 9–403, 10–201, 10–301.1,
 19 10–302, 11–303, and 16–206
 20 Annotated Code of Maryland
 21 (2003 Volume and 2006 Supplement)

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

24 **Article – Election Law**

25 **1–305.**

26 (A) **THIS SECTION APPLIES TO EACH PUBLIC INSTITUTION OF HIGHER**
 27 **EDUCATION IN THIS STATE.**

28 (B) **AS LONG AS A STUDENT RESIDES IN AN ON–CAMPUS RESIDENTIAL**
 29 **HOUSING FACILITY, A STUDENT ATTENDING AN INSTITUTION SUBJECT TO THIS**
 30 **SECTION SHALL BE ASSIGNED ONE OFFICIAL RESIDENCE ADDRESS, EVEN IF THE**
 31 **STUDENT RELOCATES TO A DIFFERENT ON–CAMPUS RESIDENTIAL HOUSING**
 32 **FACILITY.**

33 (C) **BEFORE EACH PRIMARY OR GENERAL ELECTION, AN INSTITUTION**
 34 **SUBJECT TO THIS SECTION SHALL:**

1 **(1) ALLOW CANDIDATES AND POLITICAL PARTIES TO DISTRIBUTE**
2 **CAMPAIGN MATERIAL TO STUDENTS AND EMPLOYEES AT THE INSTITUTION:**

3 **(I) IN PUBLIC PLACES ON CAMPUS; AND**

4 **(II) THROUGH ON-CAMPUS MAILBOXES;**

5 **(2) DEVELOP AN ENGAGEMENT PLAN TO PROMOTE STUDENT**
6 **INVOLVEMENT IN THE ELECTORAL PROCESS BY:**

7 **(I) COMMUNICATING WITH STUDENTS BY ELECTRONIC**
8 **MAIL A MINIMUM OF THREE TIMES IN THE THREE MONTHS BEFORE AN**
9 **ELECTION REGARDING VOTER REGISTRATION, VOTER EDUCATION, POLLING**
10 **PLACE LOCATIONS, AND THE AVAILABILITY OF ADDITIONAL INFORMATION ON**
11 **THE NONPARTISAN STUDENT VOTER EDUCATION WEBSITE MAINTAINED BY THE**
12 **INSTITUTION;**

13 **(II) COORDINATING A VOTER REGISTRATION DRIVE ON**
14 **CAMPUS AT THE START OF THE SCHOOL YEAR; AND**

15 **(III) EMPLOYING AN INDIVIDUAL OR CONTRACTING WITH A**
16 **NONPROFIT ENTITY TO COORDINATE VOTER REGISTRATION AND EDUCATION**
17 **ACTIVITIES ON CAMPUS.**

18 **(D) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE**
19 **BOARD, AN INSTITUTION SUBJECT TO THIS SECTION SHALL PROVIDE THE**
20 **OPPORTUNITY TO APPLY TO REGISTER TO VOTE OR UPDATE A VOTER**
21 **REGISTRATION RECORD TO EACH ELIGIBLE STUDENT AT THE TIME THE**
22 **STUDENT REGISTERS FOR CLASSES OR OBTAINS A STUDENT IDENTIFICATION**
23 **CARD AT THE INSTITUTION.**

24 2-202.

25 (a) Except for the City of Baltimore, the provisions of this section do not
26 apply to a municipal corporation in the State in which the municipal or charter
27 elections are regulated by the public local laws of the State or the charter of the
28 municipal corporation.

1 (b) Each local board, in accordance with the provisions of this article and
2 regulations adopted by the State Board, shall:

3 (1) oversee the conduct of all elections held in its county and ensure
4 that the elections process is conducted in an open, convenient, and impartial manner;

5 (2) pursuant to the State Personnel and Pensions Article, or its county
6 merit system, whichever is applicable, appoint an election director to manage the
7 operations and supervise the staff of the local board;

8 (3) maintain an office and be open for business as provided in this
9 article, and provide the supplies and equipment necessary for the proper and efficient
10 conduct of voter registration and election, **AUGMENTED AS NECESSARY TO**
11 **ACCOUNT FOR UNFORESEEN OR EMERGENCY CIRCUMSTANCES**, including:

12 (i) supplies and equipment required by the State Board; and

13 (ii) office and polling place equipment expenses;

14 (4) adopt any regulation it considers necessary to perform its duties
15 under this article, which regulation shall become effective when it is filed with and
16 approved by the State Board;

17 (5) serve as the local board of canvassers and certify the results of
18 each election conducted by the local board;

19 (6) establish and alter the boundaries and number of precincts in
20 accordance with § 2-303 of this title, and provide a suitable polling place for each
21 precinct, and assign voters to precincts;

22 (7) provide to the general public timely information and notice, by
23 publication or mail, concerning voter registration and elections, **INCLUDING ACCESS**
24 **ON THE INTERNET TO A VOTER REGISTRATION LIST FOR THE COUNTY THAT IS**
25 **UPDATED AT LEAST ONCE EACH DAY;**

26 (8) make determinations and hear and decide challenges and appeals
27 as provided by law;

28 (9) (i) aid in the prosecution of an offense under this article; and

1 (ii) when the board finds there is probable cause to believe an
2 offense has been committed, refer the matter to the appropriate prosecutorial
3 authority;

4 (10) maintain and dispose of its records in accordance with the plan
5 adopted by the State Board under § 2–106 of this title; and

6 (11) administer voter registration and absentee voting for nursing
7 homes and assisted living facilities in accordance with procedures established by the
8 State Administrator, subject to the approval of the State Board.

9 (c) In Garrett County, following each decennial census of the United States,
10 the local board shall:

11 (1) evaluate the population of the county commissioner districts to
12 determine whether the districts are of substantially equal population; and

13 (2) recommend to the Garrett County Delegation to the General
14 Assembly any adjustments of the boundaries of those districts that are necessary to
15 maintain districts of substantially equal population.

16 2–303.

17 (a) (1) Subject to paragraph (2) of this [section] **SUBSECTION**, as it deems
18 it expedient for the convenience of voters, a local board may:

19 (i) create and alter the boundaries for precincts in the county;

20 (ii) designate the location for polling places in any election
21 district, ward, or precinct in the county; and

22 (iii) combine or abolish precincts.

23 (2) (i) [Except as provided under subparagraph (iii) of this
24 paragraph, a] **A** local board shall establish a separate precinct on campus or within
25 one-half mile of the campus to specifically serve a public or private institution of
26 higher education if the local board determines that at least 500 students, faculty, and
27 staff who attend or work at the institution are registered voters in the precinct in
28 which the institution is located.

1 (ii) If, in accordance with subparagraph (i) of this paragraph, a
 2 polling place is established at an institution of higher education that receives State
 3 funds, that institution shall:

4 1. provide without charge to the local board a facility for
 5 use as a polling place that meets all applicable requirements under this article and as
 6 established by the State Board; and

7 2. provide assistance to the local board in recruiting
 8 election judges to staff the polling place.

9 [(iii) A local board may not be required to establish a separate
 10 precinct as provided under subparagraph (i) of this paragraph if there is an
 11 established precinct within one-half mile of the public or private institution of higher
 12 education's campus that serves the voters who attend or work at the public or private
 13 institution of higher education.]

14 3-102.

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

17 [(1) (I) is a citizen of the United States;

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

20 [(3) (III) is a resident of the State as of the day the individual seeks to
 21 register; and

22 [(4) (IV) registers pursuant to this title.

23 (2) AN INDIVIDUAL ATTENDING AN INSTITUTION OF HIGHER
 24 EDUCATION IN THE STATE WHO RESIDES IN AN ON-CAMPUS RESIDENTIAL
 25 HOUSING FACILITY MAY REGISTER IN THE PRECINCT IN WHICH THE
 26 INSTITUTION IS LOCATED OR AT AN ALTERNATIVE PERMANENT ADDRESS.

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

28 (1) has been convicted of theft or other infamous crime, unless the
 29 individual:

1 (i) has been pardoned; or

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

5 2. in connection with a subsequent conviction, has
6 completed the court-ordered sentence imposed for the conviction, including probation,
7 parole, community service, restitutions, and fines, and at least 3 years have elapsed
8 since the completion of the court-ordered sentence imposed for the conviction,
9 including probation, parole, community service, restitutions, and fines;

10 (2) is under guardianship for mental disability; or

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

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

15 3-201.

16 (a) An individual may apply to become a registered voter:

17 (1) at a local board office or the State Board office;

18 (2) at a registration site administered by a local board;

19 (3) by mail;

20 (4) when applying to the Motor Vehicle Administration for the
21 issuance, renewal, or modification of a driver's license or identification card;

22 (5) when applying for services at a voter registration agency; [or]

23 **(6) BY THE INTERNET, IN ACCORDANCE WITH REGULATIONS**
24 **ADOPTED BY THE STATE BOARD; OR**

25 **[(6)] (7)** with the assistance of a volunteer authorized by the State or
26 local board.

1 (b) An individual who is at least 18 years old or will be 18 years old on or
2 before the day of the next succeeding general or special election may be a volunteer
3 under subsection [(a)(6)] **(A)(7)** of this section.

4 3-202.

5 (a) (1) The statewide voter registration application shall:

6 (i) require the signature of the applicant, subject to the
7 penalties of perjury, by which the applicant swears or affirms that the information
8 contained in the registration application is true and that the applicant meets all of the
9 qualifications to become a registered voter;

10 (ii) state the penalties for the submission of a false application;
11 and

12 (iii) provide the applicant with the opportunity to cancel a
13 current registration.

14 **(2) (I) IF AN APPLICANT PROVIDES A FULL SOCIAL SECURITY**
15 **NUMBER WITH THE APPLICATION, THE NAME OF THE APPLICANT PROMPTLY**
16 **SHALL BE ADDED TO THE VOTER REGISTRY PENDING FURTHER REVIEW BY THE**
17 **LOCAL BOARD OR THE STATE BOARD.**

18 **(II) IF A LOCAL BOARD OR THE STATE BOARD IS UNABLE TO**
19 **VERIFY OR DISCOVERS A DISCREPANCY IN THE INFORMATION SUBMITTED BY**
20 **THE APPLICANT IN THE REGISTRATION APPLICATION, THE LOCAL BOARD SHALL**
21 **NOTIFY THE APPLICANT IN WRITING OF THE PROBLEM AND ADVISE THE**
22 **APPLICANT THAT UNLESS THE MATTER IS RESOLVED BY THE LOCAL BOARD OR**
23 **THE STATE BOARD BEFORE THE ELECTION DAY, OR BY THE CHIEF ELECTION**
24 **JUDGE AT THE POLLING PLACE ON ELECTION DAY, THE INDIVIDUAL WILL NOT**
25 **BE ALLOWED TO VOTE A REGULAR BALLOT.**

26 [(2)] **(3)** The following information shall be made available to each
27 applicant who is completing a statewide voter registration application:

28 (i) the qualifications to become a registered voter;

29 (ii) if an individual declines to register, this fact will remain
30 confidential and be used only for voter registration purposes;

1 (iii) if an individual registers to vote, the office at which the
2 application is submitted will remain confidential and will be used only for voter
3 registration purposes; and

4 (iv) notification to the applicant that submission of the form to
5 an individual other than an official, employee, or agent of a local board does not assure
6 that the form will be filed or filed in a timely manner.

7 ~~[(3)]~~ (4) The statewide voter registration application may not
8 require:

9 (i) notarization or other formal authentication; or

10 (ii) any additional information, other than the information
11 necessary to enable election officials to determine the eligibility of the applicant and to
12 administer voter registration and other parts of the election process.

13 ~~[(4)]~~ (5) (i) A statewide voter registration application shall be
14 produced exclusively by the State Board.

15 (ii) No other registration form may be used for registration
16 purposes except:

17 1. a voter registration application produced by a local
18 board with the approval of the State Board;

19 2. as provided in subsection (b) of this section;

20 3. as provided in § 3-203(b) of this subtitle;

21 4. any other form prescribed by federal law for voter
22 registration; or

23 5. a federal write-in absentee ballot if used by a voter
24 authorized to vote a federal write-in absentee ballot under federal law.

25 (b) The voter registration application form prescribed pursuant to the
26 National Voter Registration Act of 1993 shall be accepted by the appropriate election
27 official for purposes of voter registration.

28 (c) The application described in this section may be used by a registered
29 voter to change the voter's name, address, or party affiliation.

1 3–204.

2 (a) (1) The State Board shall designate public agencies and
3 nongovernmental agencies as voter registration agencies where qualified individuals
4 may apply to register to vote.

5 (2) The State Board shall designate the following offices as voter
6 registration agencies:

7 (i) all offices in the State that provide public assistance;

8 (ii) all offices in the State that provide State–funded programs
9 primarily engaged in providing services to individuals with disabilities; and

10 (iii) all public institutions of higher education in the State.

11 (3) The State Board and the Secretary of Defense shall jointly develop
12 and implement procedures for persons to apply to register to vote at recruitment
13 offices of the armed forces of the United States, which shall be deemed voter
14 registration agencies.

15 (b) Except for a public institution of higher education in the State, which
16 institution shall comply with the requirements of subsection (c) of this section, each
17 voter registration agency, as provided in subsection (a)(2) and (3) of this section, shall:

18 (1) distribute a voter registration application approved by the State
19 Board or the Federal Election Commission with each application for service or
20 assistance it renders and with each recertification, renewal, or change of address form
21 relating to such service or assistance;

22 (2) provide a document to prospective registrants that includes:

23 (i) the question, “If you are not registered to vote where you live
24 now, would you like to apply to register to vote here today?”;

25 (ii) if the agency provides public assistance, the statement,
26 “Applying to register or declining to register to vote will not affect the amount of
27 assistance that you will be provided by this agency.”;

28 (iii) boxes for the applicant to check to indicate whether the
29 applicant would like to register or declines to register to vote together with the

1 statement (in close proximity to the boxes and in prominent type), “If you do not check
2 either box, you will be considered to have decided not to register to vote at this time.”;

3 (iv) the statement, “If you would like help in filling out the voter
4 registration application form, we will help you. The decision whether to seek or accept
5 help is yours. You may fill out the application form in private.”;

6 (v) the statement, “If you believe that someone has interfered
7 with your right to register or to decline to register to vote, your right to privacy in
8 deciding whether to register or in applying to register to vote, or your right to choose
9 your own political party or other political preference, you may file a complaint with the
10 State Board of Elections.”; and

11 (vi) the address and toll free telephone number of the State
12 Board;

13 (3) provide each applicant who does not decline to register to vote and
14 who accepts assistance the same degree of assistance with regard to completion of the
15 registration application as is provided by the office with regard to the completion of its
16 own applications, unless the applicant refuses such assistance; and

17 (4) accept the completed voter registration application for transmittal
18 to the appropriate election board.

19 (c) At the time that an individual enrolls, registers, **OBTAINS A STUDENT**
20 **IDENTIFICATION CARD**, or pays for course work provided by a public institution of
21 higher education in the State, the institution shall:

22 **(1) PROVIDE THE INDIVIDUAL WITH THE OPPORTUNITY TO**
23 **REGISTER TO VOTE OR TO UPDATE A VOTER REGISTRATION RECORD; OR**

24 **(2)** provide the individual with an opportunity to request a voter
25 registration application[. If] **AND, IF** the individual requests a voter registration
26 application, [the institution shall] provide, or cause to be provided, an application to
27 the individual.

28 (d) An applicant may mail the voter registration application to the
29 appropriate State election official or return it to the voter registration agency for
30 transmittal to the appropriate election official.

1 (e) Within 5 days from the acceptance of a voter registration application, the
2 voter registration agency shall forward the application to the appropriate State
3 election official.

4 (f) If a voter registration agency is an office described in subsection (a)(2)(ii)
5 of this section, which provides services to an individual with a disability at the
6 individual's home, the agency shall provide the services described in subsection (b) of
7 this section at the individual's home.

8 (g) (1) An individual who provides any service described in subsection (b)
9 of this section may not:

10 (i) seek to influence an applicant's political preference or party
11 registration;

12 (ii) display any political preference or party allegiance; or

13 (iii) make any statement to an applicant or take any action the
14 purpose or effect of which is to lead the applicant to believe that a decision to register
15 or not to register has any bearing on the availability of services or benefits.

16 (2) No information relating to a declination to register to vote in
17 connection with an application made at an office designated as a voter registration
18 agency may be used for any purpose other than the maintenance of voter registration
19 statistics.

20 (3) Notwithstanding § 3-501 of this title and § 10-611 of the State
21 Government Article, the identity of a voter registration agency through which a
22 particular voter has registered may not be disclosed to the public.

23 (h) Regulations necessary to carry out the requirements of this section and §
24 3-203 of this subtitle, including provisions for training the employees of voter
25 registration agencies and the Motor Vehicle Administration, shall be adopted by the
26 State Board in cooperation with each agency.

27 9-403.

28 (a) The State Board shall establish guidelines for the administration of
29 provisional ballot voting by the local boards.

30 (b) The guidelines shall provide for:

31 (1) the provisional ballot application process;

- 1 (2) ballot security, including storage of returned ballots;
- 2 (3) the canvass process;
- 3 (4) notice of the canvass to candidates, political parties, campaign
4 organizations, news media, and the general public;
- 5 (5) observers of the process;
- 6 (6) review of ballots and envelopes submitted for compliance with the
7 law and for machine tabulation acceptability;
- 8 (7) standards for disallowance of ballots during the canvass;
- 9 (8) storage and retention of ballots following canvass and certification;
- 10 [and]

11 **(9) THE POSTING WITHIN 24 HOURS AFTER AN ELECTION OF THE**
12 **NAMES OF ALL INDIVIDUALS WHO CAST A PROVISIONAL BALLOT; AND**

13 ~~[(9)]~~ **(10)** the free access system required under § 11-303(f) of this
14 article.

15 (c) The State Board shall:

- 16 (1) in consultation with the local boards, assess the guidelines before
17 each primary election; and
- 18 (2) revise the guidelines if indicated.

19 10-201.

20 (a) (1) (i) Except as provided in subparagraph (ii) of this paragraph,
21 each local board shall provide at least four election judges to be the staff for each
22 polling place.

23 (ii) In a precinct with fewer than 200 registered voters, the local
24 board may provide two election judges for that precinct's polling place.

25 (2) An election judge shall be appointed in accordance with the
26 requirements of § 10-203 of this subtitle.

1 **(3) (I) ON OR BEFORE 180 DAYS BEFORE AN ELECTION, EACH**
2 **LOCAL BOARD SHALL DEVELOP A PLAN SPECIFYING HOW IT WILL GUARANTEE**
3 **THAT NO VOTER WILL WAIT MORE THAN 15 MINUTES TO RECEIVE A BALLOT TO**
4 **VOTE AT THE POLLING PLACE.**

5 **(II) THE PLAN SHALL INCLUDE THE HARDWARE, SOFTWARE,**
6 **AND HUMAN RESOURCE REQUIREMENTS REQUIRED FOR EACH PRECINCT IN THE**
7 **COUNTY TO MEET THE STANDARD SPECIFIED UNDER SUBPARAGRAPH (I) OF**
8 **THIS PARAGRAPH.**

9 **(III) ON COMPLETION, THE LOCAL BOARD SHALL:**

- 10 **1. POST THE PLAN ON THE BOARD'S WEBSITE; AND**
11 **2. HOLD A PUBLIC HEARING AND RECEIVE**
12 **COMMENTS ON THE PLAN.**

13 **(IV) ON OR BEFORE 30 DAYS AFTER THE PUBLIC HEARING,**
14 **THE LOCAL BOARD SHALL POST ANY REVISIONS TO THE PLAN ON ITS WEBSITE.**

15 **(4) AT LEAST ONE ELECTION JUDGE AT EACH POLLING PLACE**
16 **SHALL BE DESIGNATED TO BE AVAILABLE TO VOTERS TO EXPLAIN THE VOTING**
17 **PROCESS, GIVE INSTRUCTION ON THE VOTING SYSTEM, AND ANSWER VOTERS'**
18 **QUESTIONS.**

19 **(5) THE BUDGET OF THE STATE BOARD FOR EACH FISCAL YEAR**
20 **SHALL INCLUDE FUNDING NECESSARY TO SUPPORT STAFFING AND OPERATIONS**
21 **AT POLLING PLACES TO SATISFY THE STANDARD SPECIFIED UNDER PARAGRAPH**
22 **(3)(I) OF THIS SUBSECTION, INCLUDING:**

23 **(I) TRAINING PROGRAMS FOR ELECTION JUDGES AND**
24 **OTHER STAFF ASSIGNED TO POLLING PLACES ESTABLISHED AT INSTITUTIONS**
25 **OF HIGHER EDUCATION; AND**

26 **(II) THE DEVELOPMENT OF POLL-WORKER TRAINING**
27 **MATERIALS AND PROGRAMS BY FACULTY AT INSTITUTIONS OF HIGHER**
28 **EDUCATION.**

1 (b) (1) Except as provided in paragraph (2) of this subsection, each polling
2 place shall have an equal number of election judges from:

3 (i) the majority party; and

4 (ii) the principal minority party.

5 (2) (i) If the total number of election judges for a precinct is six or
6 more:

7 1. a local board may provide one or more election judges
8 who are not registered with either the majority party or principal minority political
9 party; and

10 2. a local board may provide one or more election judges
11 who are minors.

12 (ii) The number of election judges provided under this
13 paragraph may not exceed the lesser of:

14 1. the number of election judges who belong to the
15 majority party; or

16 2. the number of election judges who belong to the
17 principal minority party.

18 10–302.

19 (a) (1) In a timely manner for each election, the local board shall provide
20 for the delivery to each polling place the supplies, records, and equipment necessary
21 for the conduct of the election.

22 (2) **EACH LOCAL BOARD SHALL ENSURE THAT EACH POLLING**
23 **PLACE IS EQUIPPED WITH THE NUMBER OF VOTING MACHINES, BASED ON THE**
24 **NUMBER OF REGISTERED VOTERS IN THAT PRECINCT, THAT IS CONSISTENT**
25 **WITH THE STANDARDS ESTABLISHED BY THE STATE BOARD.**

26 (b) (1) Each polling place shall be equipped with a computer device that
27 contains a record of all registered voters in the county and that is capable of being
28 networked to other polling place computer devices.

1 (2) The State Administrator shall ensure that a site selected for early
2 voting has adequate infrastructure to accommodate the computer devices required
3 under paragraph (1) of this subsection.

4 11-303.

5 (a) Following an election, each local board shall meet at its designated
6 counting center to canvass the provisional ballots cast in that election in accordance
7 with the regulations and guidelines established by the State Board.

8 (b) A local board may not open an envelope of a provisional ballot until the
9 local board has approved the provisional ballot application.

10 (c) The State Board shall adopt regulations to implement this section.

11 (d) (1) A local board may not reject a provisional ballot except by
12 unanimous vote and in accordance with regulations of the State Board.

13 (2) The local board shall reject a provisional ballot if:

14 (i) pursuant to paragraph (4) of this subsection, the local board
15 determines that the individual who cast the provisional ballot is not qualified to vote
16 that provisional ballot;

17 (ii) the individual failed to sign the oath on the provisional
18 ballot application;

19 (iii) the individual cast more than one ballot for the same
20 election; or

21 (iv) the local board determines that a provisional ballot is
22 intentionally marked with an identifying mark that is clearly evident and placed on
23 the ballot for the purpose of identifying the ballot.

24 (3) If the intent of the voter with respect to a particular contest is not
25 clearly demonstrated, the local board shall reject only the vote for that contest.

26 (4) For the purposes of this section, an individual is qualified to vote
27 the provisional ballot cast if the local board determines that:

28 (i) the individual is registered in the State;

1 (ii) if the provisional ballot was cast because the voter failed to
2 provide required identification, the individual who cast the provisional ballot has met
3 the identification requirements established by the State Board; and

4 (iii) if the provisional ballot was cast during a period covered by
5 a court order or other order extending the time for closing the polls, the order has not
6 been invalidated by a subsequent court order.

7 (e) A local board shall count:

8 (1) the entire provisional ballot if the address on the provisional ballot
9 application is within the precinct where the provisional ballot was cast; or

10 (2) only the votes cast by the voter for each candidate or question
11 applicable to the precinct in which the voter resides, as determined by the address on
12 the provisional ballot application of the voter.

13 (f) (1) The State Board shall ensure the establishment of a system that
14 any individual who casts a provisional ballot may access without cost, **INCLUDING**
15 **THROUGH THE INTERNET**, to discover whether the ballot was counted and, if not
16 counted, the reason it was not.

17 (2) The system established under paragraph (1) of this subsection
18 shall ensure the confidentiality of the individual who accesses the system and the
19 secrecy of each ballot.

20 16–206.

21 (a) A person may not:

22 (1) place any distinguishing mark on the person's own or another
23 person's ballot for the purpose of identifying the ballot;

24 (2) misrepresent the person's ability to mark a ballot or operate voting
25 equipment;

26 (3) interfere or attempt to interfere with a voter while the voter is
27 inside the polling room, marking a ballot, or operating voting equipment;

28 (4) induce or attempt to induce a voter to mark the voter's ballot in a
29 certain way;

1 (5) except for servicing by an authorized person, unlock any locked
2 compartment of a voting device unless instructed to do so by the election director;

3 (6) destroy or deface a ballot;

4 (7) remove a ballot from a building in which voting occurs, except as
5 otherwise provided in this article;

6 (8) delay the delivery of a ballot;

7 (9) possess on or before the day of election an official ballot printed for
8 the election, unless the possession of the ballot is necessary and appropriate for
9 carrying out the election process; or

10 (10) canvass, electioneer, or post any campaign material in the polling
11 place or beyond a line established by signs posted in accordance with subsection (b) of
12 this section.

13 (b) (1) At each polling place, one election judge from each principal
14 political party shall be designated by the local board and, acting jointly, shall post
15 signs delineating a line around the entrance and exit of the building that are closest to
16 that part of the building in which voting occurs.

17 (2) (I) **[The] SUBJECT TO SUBPARAGRAPH (II) OF THIS**
18 **PARAGRAPH, THE** line shall be located as near as practicable to 100 feet from the
19 entrance and exit and shall be established after consideration of the configuration of
20 the entrance and the effect of placement on public safety and the flow of pedestrian
21 and vehicular traffic.

22 (II) **AS TO A POLLING PLACE AT AN INSTITUTION OF HIGHER**
23 **EDUCATION, THE LINE PRESCRIBED UNDER SUBPARAGRAPH (I) OF THIS**
24 **PARAGRAPH SHALL BE LOCATED AS NEAR AS PRACTICABLE TO 100 FEET FROM**
25 **THE ACTUAL POLLING PLACE WITHIN THE BUILDING.**

26 (3) The signs shall contain the words "No Electioneering Beyond this
27 Point".

28 (c) A person who violates this section is guilty of a misdemeanor and is
29 subject to a fine of not less than \$50 nor more than \$500 or imprisonment for not more
30 than 60 days or both.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article – Election Law**

4 10–301.1.

5 (a) Except as provided under Title 9, Subtitle 3 of this article, a voter shall
6 vote:

7 (1) in the voter’s assigned precinct on election day; [or]

8 (2) in an early voting polling place as provided in this section; **OR**

9 **(3) IN AN EASY VOTING POLLING PLACE AS PROVIDED IN**
10 **SUBSECTION (E) OF THIS SECTION.**

11 (b) Each early voting polling place shall be open for voting:

12 (1) beginning the Tuesday before a primary or general election
13 through the Saturday before the election; and

14 (2) during the hours between 7 a.m. and 8 p.m. during the period
15 specified under paragraph (1) of this subsection.

16 (c) (1) As provided in this subsection, each local board shall establish the
17 early voting polling places in its county.

18 (2) (i) In the following counties, the local board shall establish
19 three early voting polling places for each primary or general election as specified in
20 subparagraph (iii) of this paragraph:

21 1. Anne Arundel;

22 2. Baltimore City;

23 3. Baltimore County;

24 4. Harford;

25 5. Howard;

- 1 A. Randallstown Library
- 2 8604 Liberty Road
- 3 Randallstown, MD 21133;

- 4 B. Towson University
- 5 8000 York Road
- 6 Towson, MD 21252; and

- 7 C. Essex Library
- 8 1110 Eastern Boulevard
- 9 Essex, MD 21221;

- 10 4. Harford County:

- 11 A. Aberdeen Branch Library
- 12 21 Franklin Street
- 13 Aberdeen, MD 21001;

- 14 B. Harford County Government Building
- 15 212 South Bond Street
- 16 Bel Air, MD 21014; and

- 17 C. Joppa Branch Library
- 18 655 Towne Center Drive
- 19 Joppa, MD 21085;

- 20 5. Howard County:

- 21 A. East Columbia Library (Owen Brown)
- 22 6600 Cradlerock Way
- 23 Columbia, MD 21045;

- 24 B. Miller Branch Library
- 25 9421 Frederick Road
- 26 Ellicott City, MD 21042; and

- 27 C. Savage Branch Library
- 28 9525 Durness Lane
- 29 Laurel, MD 20723;

- 30 6. Montgomery County:

- 1 A. Germantown Public Library
2 12900 Middlebrook Road
3 Germantown, MD 20874;
- 4 B. Silver Spring Public Library
5 8901 Colesville Road
6 Silver Spring, MD 20910; and
- 7 C. Rockville City Hall
8 111 Maryland Avenue
9 Rockville, MD 20850; and
- 10 7. Prince George’s County:
- 11 A. Upper Marlboro Library
12 14730 Main Street
13 Upper Marlboro, MD 20772;
- 14 B. Harmony Hall Regional Center
15 10701 Livingston Road
16 Fort Washington, MD 20744; and
- 17 C. Hyattsville Public Library
18 6530 Adelphi Road
19 Hyattsville, MD 20872.

20 (3) If the State Administrator determines, or a local election director
21 notifies the State Administrator, that a site specified under this subsection cannot be
22 used to accommodate early voting, the State Administrator shall select another site,
23 proximate to the site rejected, that is accessible to voters.

24 (4) Beginning 30 days prior to each primary and general election, the
25 State Board and each local board shall undertake steps to inform the public about
26 early voting and the location of early voting polling places in each county, including a
27 series of public service media announcements, mailings to all registered voters, and
28 other efforts.

29 (5) Polling places established by a local board under this section shall
30 meet the requirements of § 10–101 of this title.

31 (d) (1) A voter may vote at any early voting polling place in the voter’s
32 county of residence.

1 (2) The local board shall ensure that every ballot style used in the
2 county for the election is available at the early voting polling places.

3 **(E) (1) IN ADDITION TO THE EARLY VOTING POLLING PLACES**
4 **ESTABLISHED UNDER THIS SECTION, EACH LOCAL BOARD SHALL ESTABLISH**
5 **EASY VOTING POLLING PLACES IN THE COUNTY FOR EACH ELECTION.**

6 **(2) THE EASY VOTING POLLING PLACES SHALL:**

7 **(I) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, BE**
8 **ESTABLISHED AT EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE**
9 **STATE;**

10 **(II) BE OPEN FOR EARLY VOTING AND ON THE DAY OF A**
11 **PRIMARY, GENERAL, OR SPECIAL ELECTION;**

12 **(III) BE AVAILABLE TO ANY QUALIFIED VOTER IN THE STATE;**
13 **AND**

14 **(IV) BE PROGRAMMED TO INCLUDE EVERY BALLOT STYLE**
15 **USED IN THE STATE FOR THE ELECTION TO ENSURE THAT EACH QUALIFIED**
16 **VOTER MAY ACCESS THE FULL BALLOT FOR WHICH THE VOTER IS ELIGIBLE TO**
17 **VOTE.**

18 **(3) FOR PURPOSES OF THIS SUBSECTION, AN EARLY VOTING**
19 **POLLING PLACE ESTABLISHED AT A PUBLIC INSTITUTION OF HIGHER**
20 **EDUCATION UNDER SUBSECTION (C) OF THIS SECTION SHALL BE DEEMED AN**
21 **EASY VOTING POLLING PLACE.**

22 **[(e)] (F) On or before January 1, 2006, the State Board shall adopt**
23 **regulations and guidelines for the conduct of early voting AND EASY VOTING.**

24 **[(f)] (G) Any provision of this article that applies to election day also shall**
25 **apply to early voting AND TO EASY VOTING.**

26 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act is
27 contingent on the passage of Chapter ____(S.B.1/H.B.___) (7lr0371/7lr0377) of the Acts
28 of the General Assembly of 2007, a constitutional amendment, and its ratification by
29 the voters of the State.

1 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of
2 this Act, this Act shall take effect October 1, 2007.