

**HB0102/645260/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 102

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and F. Turner” and substitute “F. Turner, Frick, Gilchrist, Cardin, Doory, Olszewski, and Stukes”; in line 17, after “implications;” insert “authorizing a court to impose a certain civil penalty or issue a certain injunction only after making certain findings;”; and in line 19, after “changes;” insert “providing for the effective dates of this Act;”.

AMENDMENT NO. 2

On page 4, strike beginning with “**THE**” in line 1 down through “**HOUR**” in line 2 and substitute “**A POLLING PLACE IS CLOSED FOR MORE THAN 1 HOUR BETWEEN 7 A.M. AND 8 P.M. ON AN ELECTION DAY**”; and in line 5, strike “**OF THE DELAY**” and substitute “**THAT THE POLLING PLACE WAS CLOSED**”.

AMENDMENT NO. 3

On page 9, after line 20, insert:

**“(C) (1) A COURT MAY IMPOSE A CIVIL PENALTY UNDER § 13-604 OF THIS TITLE FOR A VIOLATION OF THIS SECTION ONLY IF IT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT A VIOLATION OCCURRED.**

**(2) A COURT MAY ISSUE AN INJUNCTION UNDER § 13-605 OF THIS TITLE AGAINST A VIOLATION OF THIS SECTION ONLY IF IT FINDS:**

**(I) BY CLEAR AND CONVINCING EVIDENCE THAT A VIOLATION IS OCCURRING OR IS ABOUT TO OCCUR;**

(Over)

(II) AN INJUNCTION IS NECESSARY TO ACCOMPLISH THE STATE'S INTEREST; AND

(III) OTHER AVAILABLE ALTERNATIVES ARE INSUFFICIENT TO ACCOMPLISH THE STATE'S INTEREST."

AMENDMENT NO. 4

On page 9, before line 1, insert:

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

On page 11, after line 5, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect January 1, 2009."

in line 6, strike "2." and substitute "4."; and in the same line, after "That" insert ", except as provided in Section 3 of this Act,".