

HOUSE BILL 3

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9lr0353

(PRE-FILED)

By: ~~Delegate Levy~~ Delegates Levy, Beidle, Bohanan, Bronrott, Carr, Conaway, Conway, DeBoy, Frush, Guzzone, Hecht, Jameson, Lafferty, McComas, Montgomery, Reznik, Robinson, Sophocleus, Sossi, F. Turner, Wood, Kipke, Cardin, Olszewski, Walker, Elmore, Frick, Gilchrist, Ivey, Rice, Murphy, Howard, Doory, Hixson, Barve, and Stukes

Requested: June 25, 2008

Introduced and read first time: January 14, 2009

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2009

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Access to Voting Room and Voting Booth by Minors Not**
3 **Eligible to Vote**

4 FOR the purpose of increasing the maximum age at which a minor may accompany a
5 voter in the voting room and voting booth at a polling place under certain
6 circumstances; and generally relating to access to the voting room and voting
7 booth by minors at the polling place.

8 BY repealing and reenacting, with amendments,
9 Article - Election Law
10 Section 10-308 and 10-310(c)
11 Annotated Code of Maryland
12 (2003 Volume and 2008 Supplement)

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

15 **Article - Election Law**

16 10-308.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) An election judge shall allow the following individuals to have access to
2 the voting room at a polling place:

3 (1) a voter;

4 (2) an individual who accompanies a voter in need of assistance in
5 accordance with § 10–310(c) of this subtitle;

6 (3) polling place staff;

7 (4) a member or other representative of the State Board or local board;

8 (5) an accredited watcher or challenger under § 10–311 of this subtitle;

9 (6) an individual under the age of [13] **18** who accompanies a voter in
10 accordance with § 10–310(c) of this subtitle, provided that:

11 (I) the individual is in the care of the voter and does not disrupt
12 or interfere with normal voting procedures; and

13 (II) **THE INDIVIDUAL IS NOT ELIGIBLE TO VOTE IN THAT**
14 **ELECTION; AND**

15 (7) any other individual authorized by the State Board or local board.

16 (b) Notwithstanding the provisions of subsection (a)(6) of this section, not
17 more than two individuals under the age of [13] **18** may accompany a voter in
18 accordance with § 10–310(c) of this subtitle.

19 10–310.

20 (c) (1) Before a voter enters a voting booth, at the request of the voter, an
21 election judge shall:

22 (i) instruct the voter about the operation of the voting system;
23 and

24 (ii) allow the voter an opportunity to operate a model voting
25 device, if appropriate to the voting system in use.

26 (2) (i) 1. After a voter enters the voting booth, at the request of
27 the voter, two election judges representing different political parties shall instruct the
28 voter on the operation of the voting device.

29 2. An election judge may not suggest in any way how the
30 voter should vote for a particular ticket, candidate, or position on a question.

1 3. After instructing the voter, the election judges shall
2 exit the voting booth and allow the voter to vote privately.

3 (ii) A voter may take into the polling place any written or
4 printed material to assist the voter in marking or preparing the ballot.

5 (3) (i) Except as provided in subparagraph (ii) of this paragraph, a
6 voter who requires assistance in marking or preparing the ballot because of a physical
7 disability or an inability to read the English language may choose any individual to
8 assist the voter.

9 (ii) A voter may not choose the voter’s employer or agent of that
10 employer or an officer or agent of the voter’s union to assist the voter in marking the
11 ballot.

12 (4) If the voter requires the assistance of another in voting, but
13 declines to select an individual to assist, an election judge, in the presence of another
14 election judge that represents another political party, shall assist the voter in the
15 manner prescribed by the voter.

16 (5) An individual assisting a voter may not suggest in any way how
17 the voter should vote for a particular ticket, candidate, or position on a question.

18 (6) If a voter requires assistance under paragraph (4) or (5) of this
19 subsection, the election judge shall record, on a form prescribed by the State Board,
20 the name of the voter who required assistance and the name of the individual
21 providing assistance to the voter.

22 (7) Except as provided in paragraph (3) or (4) of this subsection, an
23 individual over the age of [12] 17 years may not accompany a voter into a voting
24 booth.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.