

HOUSE BILL 589

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9lr0715

By: **Delegates Ivey, Ali, Cardin, Gilchrist, Ramirez, Rice, Ross, and Walker**

Introduced and read first time: February 6, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Request for Change of Party Affiliation - Deadline**

3 FOR the purpose of altering the deadline for requesting a change of party affiliation to
4 coincide with the deadline for registering to vote for an election; making
5 conforming changes; and generally relating to the deadline for requesting a
6 change of party affiliation.

7 BY repealing and reenacting, without amendments,
8 Article - Election Law
9 Section 3-302
10 Annotated Code of Maryland
11 (2003 Volume and 2008 Supplement)

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13 Article - Election Law
14 Section 3-303
15 Annotated Code of Maryland
16 (2003 Volume and 2008 Supplement)

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

19 **Article - Election Law**

20 3-302.

21 (a) Registration is closed beginning at 9 p.m. on the 21st day preceding an
22 election until the 11th day after that election.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) A voter registration application received when registration is closed shall
2 be accepted and retained by a local board, but the registration of the applicant does
3 not become effective until registration reopens.

4 (c) A voter registration application that is received by the local board after
5 the close of registration shall be considered timely received for the next election
6 provided:

7 (1) there is sufficient evidence, as determined by the local board
8 pursuant to regulations adopted by the State Board, that the application was mailed
9 on or before registration was closed for that election; or

10 (2) the application was submitted by the voter to the Motor Vehicle
11 Administration, a voter registration agency, another local board, or the State Board
12 prior to the close of registration.

13 3-303.

14 (a) [Except as provided in subsections (b) and (c) of this section, a] **A** local
15 board, at the signed request of a registered voter, shall change that voter's party
16 affiliation, or change the voter to or from a decline, at any time that registration is
17 open.

18 (b) [(1) Except as provided in paragraph (2) of this subsection, party
19 affiliation may not be changed:

20 (i) from 9 p.m. on the Monday, or the next regular business day
21 if the Monday is a legal holiday, that is 12 weeks before the day on which a primary
22 election is to be held under § 8-201 of this article, until and including the day on
23 which the registration reopens after the primary election is held; and

24 (ii) from and including the day of issuance of a gubernatorial
25 proclamation calling a special election, pursuant to § 8-710 of this article, or from 5
26 p.m. on the next regular business day if the day of issuance is a legal holiday, until
27 and including the day on which that special election is held.

28 (2) If a voter requests a party affiliation change during a period
29 specified in paragraph (1) of this subsection, the local board shall make the change if]
30 **IF A LOCAL BOARD RECEIVES A REQUEST FOR A PARTY AFFILIATION CHANGE**
31 **AFTER THE CLOSE OF REGISTRATION, THE LOCAL BOARD SHALL MAKE THE**
32 **CHANGE AND IT SHALL BECOME EFFECTIVE FOR THE NEXT ELECTION**
33 **PROVIDED:**

34 [(i)] **(1)** there is sufficient evidence, as determined by the local
35 boards pursuant to regulations adopted by the State Board, that the request was
36 mailed [before the beginning of the period specified in paragraph (1) of this
37 subsection] **ON OR BEFORE REGISTRATION WAS CLOSED FOR THAT ELECTION;** or

1 [(ii)] (2) the request was submitted by the voter to the Motor
2 Vehicle Administration, a voter registration agency, another local board, or the State
3 Board [before the beginning of the period specified in paragraph (1) of this subsection]
4 **PRIOR TO THE CLOSE OF REGISTRATION FOR THAT ELECTION.**

5 [(c) If a registered voter has moved from one county to another within the
6 State since the last general election, the voter may change party affiliation or change
7 to or from a decline, one time only, during a period specified in subsection (b)(1) of this
8 section.

9 (d) An individual whose registration has been canceled at the individual's
10 request within a period specified in subsection (b) of this section may not reregister in
11 the same county during the same period with a party affiliation or nonaffiliation
12 different from the previous registration.]

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