

SENATE BILL 292

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SB 671/09 – EHE

0lr0490
CF HB 217

By: **Senators Raskin, Brochin, Conway, Forehand, Garagiola, Glassman, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Rosapepe, and Stone**

Introduced and read first time: January 27, 2010
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: April 6, 2010

CHAPTER _____

1 AN ACT concerning

2 ~~Elections – Voter Registration and Voting – Age~~
3 Election Law – Voter Registration and Nomination by Petition –
4 Requirements

5 FOR the purpose of altering the qualifications for voter registration to allow an
6 individual who is at least 16 years old to register to vote; ~~specifying that an~~
7 ~~individual is not eligible to vote until a certain election in which the individual~~
8 ~~is 18 years old or older; and generally relating to the age when an individual~~
9 ~~becomes qualified to register to vote and to vote~~ specifying that an individual
10 under the age of 18 years may vote in certain primary elections but may not
11 vote in any other elections; altering the deadline for requesting a change of
12 party affiliation to coincide with the deadline for registering to vote for an
13 election; altering the date on which the number of petition signatures required
14 for a candidate to be nominated by petition is determined; making conforming
15 changes; and generally relating to requirements for voter registration and
16 nomination by petition.

17 BY repealing and reenacting, with amendments,
18 Article – Election Law
19 Section 3–102, 3–303, and 5–703(e)
20 Annotated Code of Maryland
21 (2003 Volume and 2009 Supplement)

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 BY repealing and reenacting, without amendments,

2 Article – Election Law

3 Section 3–302

4 Annotated Code of Maryland

5 (2003 Volume and 2009 Supplement)

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

8 **Article – Election Law**

9 3–102.

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

12 **[(1)] (I)** is a citizen of the United States;

13 **[(2)] (II)** is at least **[18] 16** years old **[or will be 18 years old on or**
14 **before the day of the next succeeding general or special election];**

15 **[(3)] (III)** is a resident of the State as of the day the individual seeks to
16 register; and

17 **[(4)] (IV)** registers pursuant to this title.

18 **(2) NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION,**
19 **AN INDIVIDUAL IS NOT QUALIFIED TO VOTE UNTIL THE FIRST GENERAL OR**
20 **SPECIAL ELECTION THAT OCCURS WHILE THE INDIVIDUAL IS 18 YEARS OLD OR**
21 **OLDER UNDER THE AGE OF 18 YEARS:**

22 **(I) MAY VOTE IN A PRIMARY ELECTION IN WHICH**
23 **CANDIDATES ARE NOMINATED FOR A GENERAL OR SPECIAL ELECTION THAT**
24 **WILL OCCUR WHEN THE INDIVIDUAL IS AT LEAST 18 YEARS OLD; AND**

25 **(II) MAY NOT VOTE IN ANY OTHER ELECTION.**

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

27 (1) has been convicted of a felony and is actually serving a
28 court-ordered sentence of imprisonment, including any term of parole or probation, for
29 the conviction;

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

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

1 3-302.

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

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

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

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

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

16 3-303.

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

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

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

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

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

1 CHANGE AND IT SHALL BECOME EFFECTIVE FOR THE NEXT ELECTION
 2 PROVIDED:

3 [(i)] (1) there is sufficient evidence, as determined by the local
 4 boards pursuant to regulations adopted by the State Board, that the request was
 5 mailed [before the beginning of the period specified in paragraph (1) of this
 6 subsection] ON OR BEFORE THE CLOSE OF REGISTRATION FOR THAT ELECTION;
 7 or

8 [(ii)] (2) the request was submitted by the voter to the Motor
 9 Vehicle Administration, a voter registration agency, another local board, or the State
 10 Board [before the beginning of the period specified in paragraph (1) of this subsection]
 11 ON OR BEFORE THE CLOSE OF REGISTRATION FOR THAT ELECTION.

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

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

20 5-703.

21 (e) (1) A candidate who seeks nomination by petition may not have the
 22 candidate's name placed on the general election ballot unless the candidate files with
 23 the appropriate board petitions signed by not less than 1% of the total number of
 24 registered voters who are eligible to vote for the office for which the nomination by
 25 petition is sought, except that the petitions shall be signed by at least 250 registered
 26 voters who are eligible to vote for the office.

27 (2) The petitions shall be filed as required in Title 6 of this article.

28 (3) The number of registered voters required to satisfy the
 29 requirements of paragraph (1) of this section shall be determined as of [the deadline
 30 for changing party affiliation before] JANUARY 1 OF THE YEAR OF the primary
 31 election for which the nomination is sought.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 33 ~~October~~ June 1, 2010.