

SENATE BILL 417

G1
HB 476/09 – W&M

CONSTITUTIONAL AMENDMENT

0lr1874
CF HB 322

By: **Senators Lenett, Conway, Frosh, Garagiola, Gladden, Harrington, King, Klausmeier, Madaleno, Middleton, Muse, Peters, Pinsky, Pugh, Raskin, and Rosapepe**

Introduced and read first time: January 29, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Elective Franchise – Registration and Voting at Polling Places**

3 FOR the purpose of authorizing the General Assembly to provide by suitable
4 enactment a process to allow a qualified voter to register and vote on election
5 day at a certain polling place in a certain precinct or on a certain day before
6 election day at a certain polling place; making a stylistic change; and
7 submitting this amendment to the qualified voters of the State of Maryland for
8 their adoption or rejection.

9 BY proposing an amendment to the Maryland Constitution
10 Article I – Elective Franchise
11 Section 1 and 2

12 BY proposing an addition to the Maryland Constitution
13 Article I – Elective Franchise
14 Section 2A

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
17 concurring), That it be proposed that the Maryland Constitution read as follows:

18 **Article I – Elective Franchise**

19 1.

20 All elections shall be by ballot. Except as provided in **SECTION 2A OR** Section 3
21 of this article, every citizen of the United States, of the age of 18 years or upwards,
22 who is a resident of the State as of the time for the closing of registration next
23 preceding the election, shall be entitled to vote in the ward or election district in which

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the citizen resides at all elections to be held in this State. A person once entitled to
2 vote in any election district, shall be entitled to vote there until the person shall have
3 acquired a residence in another election district or ward in this State.

4 2.

5 [The] **EXCEPT AS PROVIDED IN SECTION 2A OF THIS ARTICLE, THE**
6 General Assembly shall provide by law for a uniform Registration of the names of all
7 the voters in this State, who possess the qualifications prescribed in this Article, which
8 Registration shall be conclusive evidence to the Judges of Election of the right of every
9 person, thus registered, to vote at any election thereafter held in this State; but no
10 person shall vote, at any election, Federal or State, hereafter to be held in this State,
11 or at any municipal election in the City of Baltimore, unless [his] **THE PERSON'S**
12 name appears in the list of registered voters; the names of all persons shall be added
13 to the list of qualified voters by the officers of Registration, who have the qualifications
14 prescribed in the first section of this Article, and who are not disqualified under the
15 provisions of the second and third sections thereof.

16 **2A.**

17 **THE GENERAL ASSEMBLY SHALL HAVE THE POWER TO PROVIDE BY**
18 **SUITABLE ENACTMENT A PROCESS TO ALLOW A QUALIFIED VOTER TO REGISTER**
19 **AND VOTE:**

20 **(1) ON ELECTION DAY AT THE POLLING PLACE IN THE PRECINCT**
21 **IN WHICH THE VOTER RESIDES; OR**

22 **(2) ON A DAY DESIGNATED FOR VOTING BEFORE ELECTION DAY**
23 **AT A POLLING PLACE WHERE THE VOTER MAY VOTE IN ACCORDANCE WITH**
24 **SECTION 3(B) OF THIS ARTICLE.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
26 determines that the amendment to the Maryland Constitution proposed by this Act
27 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the
28 Maryland Constitution concerning local approval of constitutional amendments do not
29 apply.

30 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
31 proposed as an amendment to the Maryland Constitution shall be submitted to the
32 legal and qualified voters of this State at the next general election to be held in
33 November, 2010 for their adoption or rejection pursuant to Article XIV of the
34 Maryland Constitution. At that general election, the vote on this proposed amendment
35 to the Constitution shall be by ballot, and upon each ballot there shall be printed the
36 words "For the Constitutional Amendment" and "Against the Constitutional
37 Amendment," as now provided by law. Immediately after the election, all returns shall
38 be made to the Governor of the vote for and against the proposed amendment, as

1 directed by Article XIV of the Maryland Constitution, and further proceedings had in
2 accordance with Article XIV.