

# HOUSE BILL 257

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CF SB 225

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By: **Delegates Murphy, Barve, Branch, Busch, Cardin, Fisher, Frick, Jameson, Myers, O'Donnell, Reznik, Ross, V. Turner, Wilson, ~~and Wood~~ Wood, and Bohanan**

Introduced and read first time: January 31, 2011

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: February 22, 2011

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## 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 (2010 Replacement Volume)

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.

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

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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 (1) a voter;
- 2 (2) an individual who accompanies a voter in need of assistance in  
3 accordance with § 10–310(c) of this subtitle;
- 4 (3) polling place staff;
- 5 (4) a member or other representative of the State Board or local board;
- 6 (5) an accredited watcher or challenger under § 10–311 of this subtitle;
- 7 (6) an individual under the age of [13] 18 who accompanies a voter in  
8 accordance with § 10–310(c) of this subtitle, provided that:
- 9 (I) the individual is in the care of the voter and does not disrupt  
10 or interfere with normal voting procedures; and
- 11 (II) **THE INDIVIDUAL IS NOT ELIGIBLE TO VOTE IN THAT**  
12 **ELECTION; AND**
- 13 (7) any other individual authorized by the State Board or local board.

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

17 10–310.

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

20 (i) instruct the voter about the operation of the voting system;

21 and

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

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

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

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

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

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

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

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

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

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 ~~October~~ June 1, 2011.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.