HOUSE BILL 473

L3, G1

By: Delegate McDonough
Introduced and read first time: February 2, 2012
Assigned to: Environmental Matters

A BILL ENTITLED

AN ACT concerning

Municipal Corporations – Elections – Voter Qualifications

FOR the purpose of prohibiting an individual who is not a citizen of the United States from voting in an election in any municipal corporation; providing that this Act makes null and void any provision in the charter of any municipal corporation that allows an individual other than a citizen of the United States to vote in an election in the municipal corporation; and generally relating to voter qualifications in municipal elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

Article – Election Law

3–102.

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

(i) is a citizen of the United States;

(ii) is at least 16 years old;

(iii) is a resident of the State as of the day the individual seeks to register; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(iv) registers pursuant to this title.

(2) Notwithstanding paragraph (1)(ii) of this subsection, an individual under the age of 18 years:

(i) may vote in a primary election in which candidates are nominated for a general or special election that will occur when the individual is at least 18 years old; and

(ii) may not vote in any other election.

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

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

(2) is under guardianship for mental disability and a court of competent jurisdiction has specifically found by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process; or

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

(C) Notwithstanding the provisions of the charter of any municipal corporation, an individual who is not a citizen of the United States may not vote in an election in any municipal corporation.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act makes null and void any provision in the charter of any municipal corporation that allows an individual other than a citizen of the United States to vote in an election in the municipal corporation.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.