

HOUSE BILL 542

G1

8lr1071

By: **Delegates Ali, Gibson, Morales, Mosby, Proctor, and Rosenberg**

Introduced and read first time: January 26, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Eligible Detainees – Information on Voting Rights**

3 FOR the purpose of requiring the State Board of Elections to adopt regulations establishing
4 a program to inform certain eligible detainees in correctional facilities of upcoming
5 elections and how the eligible detainees may exercise the right to vote; requiring that
6 the regulations provide for the dissemination of certain information and applications
7 and certain transmission of certain applications and ballots between correctional
8 facilities and the local boards of elections; requiring the State Board to consult with
9 the Secretary of Public Safety and Correctional Services and certain local
10 correctional officials when developing the regulations; requiring correctional
11 facilities to cooperate with election officials in developing and implementing the
12 regulations; defining certain terms; and generally relating to providing information
13 to eligible detainees on how to exercise the right to vote.

14 BY adding to

15 Article – Election Law

16 Section 1–303.1

17 Annotated Code of Maryland

18 (2017 Replacement Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

20 That the Laws of Maryland read as follows:

21 **Article – Election Law**

22 **1–303.1.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
24 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “CORRECTIONAL FACILITY” MEANS A STATE CORRECTIONAL**
2 **FACILITY OR A LOCAL CORRECTIONAL FACILITY.**

3 **(3) “ELIGIBLE DETAINEE” MEANS AN INDIVIDUAL WHO IS ELIGIBLE**
4 **TO VOTE WHILE:**

5 **(I) DETAINED IN A CORRECTIONAL FACILITY AWAITING TRIAL;**
6 **OR**

7 **(II) INCARCERATED IN A CORRECTIONAL FACILITY SOLELY FOR**
8 **A MISDEMEANOR OFFENSE.**

9 **(4) “LOCAL CORRECTIONAL FACILITY” HAS THE MEANING STATED IN**
10 **§ 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.**

11 **(5) “STATE CORRECTIONAL FACILITY” HAS THE MEANING STATED IN**
12 **§ 1-101 OF THE CORRECTIONAL SERVICES ARTICLE.**

13 **(B) THE STATE BOARD SHALL ADOPT REGULATIONS ESTABLISHING A**
14 **PROGRAM TO INFORM ELIGIBLE DETAINEES OF UPCOMING ELECTIONS AND HOW**
15 **THE ELIGIBLE DETAINEES MAY EXERCISE THE RIGHT TO VOTE.**

16 **(C) THE REGULATIONS REQUIRED UNDER SUBSECTION (B) OF THIS**
17 **SECTION SHALL PROVIDE FOR:**

18 **(1) THE DISSEMINATION OF INFORMATION ON ELIGIBILITY**
19 **REQUIREMENTS TO REGISTER TO VOTE AND VOTER REGISTRATION APPLICATIONS;**

20 **(2) THE DISSEMINATION OF INFORMATION ON ABSENTEE VOTING**
21 **AND ABSENTEE BALLOT APPLICATIONS; AND**

22 **(3) THE EFFICIENT TRANSMISSION OF VOTER REGISTRATION**
23 **APPLICATIONS, ABSENTEE BALLOT APPLICATIONS, AND ABSENTEE BALLOTS**
24 **BETWEEN CORRECTIONAL FACILITIES AND THE LOCAL BOARDS.**

25 **(D) THE STATE BOARD SHALL CONSULT WITH THE SECRETARY OF PUBLIC**
26 **SAFETY AND CORRECTIONAL SERVICES AND LOCAL CORRECTIONAL OFFICIALS**
27 **WHEN DEVELOPING THE REGULATIONS REQUIRED UNDER SUBSECTION (B) OF THIS**
28 **SECTION.**

29 **(E) CORRECTIONAL FACILITIES SHALL COOPERATE FULLY WITH THE**
30 **STATE BOARD AND LOCAL BOARDS IN DEVELOPING AND IMPLEMENTING THE**
31 **REGULATIONS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2018.