

SENATE BILL 129

G1, F2

8lr1515

By: **Senator Zirkin**

Introduced and read first time: January 11, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Polling Places on Campuses**

3 FOR the purpose of requiring the Baltimore County Board of Elections to establish at least
4 one polling place at each public or private institution of higher education in the
5 county that has residential student housing on its campus; making conforming
6 changes; and generally relating to polling places at institutions of higher education
7 in Baltimore County.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 2–303
11 Annotated Code of Maryland
12 (2017 Replacement Volume and 2017 Supplement)

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

15 **Article – Election Law**

16 2–303.

17 (a) (1) Subject to paragraph (2) of this subsection, as it deems it expedient for
18 the convenience of voters, a local board may:

19 (i) create and alter the boundaries for precincts in the county;

20 (ii) designate the location for polling places in any election district,
21 ward, or precinct in the county; and

22 (iii) combine or abolish precincts.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) Except as provided under subparagraph (iii) of this paragraph
2 **AND SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH**, a local board shall
3 establish a separate precinct on campus or within one-half mile of the campus to
4 specifically serve a public or private institution of higher education if the local board
5 determines that at least 500 students, faculty, and staff who attend or work at the
6 institution are registered voters in the precinct in which the institution is located.

7 (ii) If, in accordance with subparagraph (i) **OR (IV)** of this paragraph,
8 a polling place is established at an institution of higher education that receives State funds,
9 that institution shall:

10 1. provide without charge to the local board a facility for use
11 as a polling place that meets all applicable requirements under this article and as
12 established by the State Board; and

13 2. provide assistance to the local board in recruiting election
14 judges to staff the polling place.

15 (iii) **[A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS**
16 **PARAGRAPH**, A local board may not be required to establish a separate precinct as provided
17 under subparagraph (i) of this paragraph if there is an established precinct within one-half
18 mile of the public or private institution of higher education's campus that serves the voters
19 who attend or work at the public or private institution of higher education.

20 **(IV) IN BALTIMORE COUNTY, THE LOCAL BOARD SHALL**
21 **ESTABLISH AT LEAST ONE POLLING PLACE AT EACH PUBLIC OR PRIVATE**
22 **INSTITUTION OF HIGHER EDUCATION IN THE COUNTY THAT HAS RESIDENTIAL**
23 **STUDENT HOUSING ON ITS CAMPUS.**

24 (b) Except as provided in subsection (e) of this section, a local board may not
25 create or change a precinct boundary or polling place during the period beginning the
26 Tuesday that is 13 weeks prior to a primary election, through the day of the general
27 election.

28 (c) Any precinct boundary established by a local board subsequent to July 1, 1987
29 shall follow visible features as defined by the Bureau of the Census, United States
30 Department of Commerce.

31 (d) Within 5 days of creating a new precinct or changing a precinct boundary, a
32 local board shall send to the State Administrator a written description of the new boundary
33 and a map of the area involved.

34 (e) (1) Unless the action is approved in advance by the State Administrator,
35 during the period January 1, in the second year preceding the decennial census, through
36 the effective date of any redistricting based on the census, a local board may not create a
37 new precinct or change a precinct boundary.

1 (2) Upon receipt of the written description and map relating to a precinct
2 boundary established during the period described in paragraph (1) of this subsection, the
3 State Administrator shall immediately forward the documents to the Secretary of the
4 Department of Planning and the Executive Director of the Department of Legislative
5 Services.

6 (f) Notwithstanding any restrictions imposed by this section, subject to the
7 approval of the State Board, a local board may create a new precinct or change a precinct
8 boundary or polling place if the local board determines that an emergency exists.

9 (g) (1) The regulations adopted by the State Board shall include procedures
10 for the creation of new precincts and changes to precinct boundaries or polling places.

11 (2) A local board may create a new precinct or make a change in a precinct
12 boundary or polling place only in accordance with regulations adopted by the State Board.

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