

SENATE BILL 1061

G1
SB 64/17 – EHE

8lr0550
CF HB 280

By: **Senators Kagan and Pinsky**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Ballot Access – Voter Registration – Affiliating With a Party**

3 FOR the purpose of allowing voters who have declined to affiliate with a political party to
4 affiliate with a party at any time individuals may register to vote; requiring an
5 election judge to follow certain procedures if a voter who has declined to affiliate with
6 a political party requests to affiliate with a party during early voting; altering certain
7 provisions relating to early voting to allow voters who have declined to affiliate with
8 a political party to affiliate with a party and be issued a ballot to vote; making a
9 conforming change; and generally relating to affiliating with a party during voter
10 registration.

11 BY repealing and reenacting, with amendments,
12 Article – Election Law
13 Section 3–303 and 3–305
14 Annotated Code of Maryland
15 (2017 Replacement Volume and 2017 Supplement)

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

18 **Article – Election Law**

19 3–303.

20 **(A) A REGISTERED VOTER WHO HAS DECLINED TO AFFILIATE WITH A**
21 **POLITICAL PARTY MAY CHANGE TO A PARTY AFFILIATION AT ANY TIME AN**
22 **INDIVIDUAL MAY REGISTER TO VOTE UNDER THIS TITLE.**

23 **[(a)] (B)** Notification of a change of party affiliation or a change to or from a
24 decline may be made:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) by information provided on a voter registration application by the same
2 methods provided for registration under Subtitle 2 of this title;

3 (2) by written notice, signed by the voter and sent by mail or otherwise
4 delivered to the local board in the county where the voter's current voter registration
5 address is located or to which the voter has moved;

6 (3) by making application in person at the office of the local board in the
7 county where the voter's current voter registration address is located or to which the voter
8 has moved;

9 (4) by information on a voter authority card or other appropriate form filled
10 out in a polling place; or

11 (5) by changing a name or address with the Motor Vehicle Administration.

12 **[(b)] (C)** Party affiliation changes or changes to or from a decline:

13 (1) shall be processed at any time that registration is open; and

14 (2) except as provided in subsection **[(c)] (D)** of this section, may not be
15 processed when registration is closed.

16 **[(c)] (D) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
17 **SUBSECTION, IF** a local board receives a request for a party affiliation change after the
18 close of registration, the local board shall make the change and it shall become effective for
19 the next election provided:

20 **[(1)] (I)** there is sufficient evidence, as determined by the local boards
21 pursuant to regulations adopted by the State Board, that the request was mailed on or
22 before the close of registration for that election; or

23 **[(2)] (II)** the request was submitted by the voter to the Motor Vehicle
24 Administration, a voter registration agency, another local board, or the State Board on or
25 before the close of registration for that election.

26 **(2) IF A VOTER WHO HAS DECLINED TO AFFILIATE WITH A POLITICAL**
27 **PARTY REQUESTS TO AFFILIATE WITH A PARTY DURING EARLY VOTING, THE**
28 **ELECTION JUDGE SHALL FOLLOW THE PROCEDURES UNDER § 3-305(C) OF THIS**
29 **SUBTITLE TO DETERMINE THE VOTER'S QUALIFICATION AND, IF THE VOTER IS**
30 **QUALIFIED, TO CERTIFY THE VOTER'S QUALIFICATION.**

31 3-305.

32 (a) During early voting, an individual may appear in person at an early voting

1 center in the individual's county of residence and apply:

2 (1) to register to vote [or];

3 (2) TO change the voter's address ON AN EXISTING VOTER
4 REGISTRATION; OR

5 (3) IF THE VOTER IS UNAFFILIATED WITH A POLITICAL PARTY, TO
6 CHANGE PARTY AFFILIATION on an existing voter registration.

7 (b) (1) When applying to register to vote during early voting, the applicant
8 shall provide proof of residency.

9 (2) The applicant shall prove residency by showing the election judge:

10 (i) a Maryland driver's license or Maryland identification card that
11 contains the applicant's current address; or

12 (ii) if the applicant does not have a driver's license or identification
13 card that contains the applicant's current address, a copy of an official document that:

14 1. meets the requirements established by the State Board;
15 and

16 2. contains the applicant's name and current address.

17 (c) (1) When an individual applies to register to vote at an early voting center,
18 the election judge shall determine whether the applicant resides in the county in which the
19 applicant applied and is qualified to become a registered voter.

20 (2) If the voter is a resident of the county and is qualified to register to vote,
21 the election judge shall:

22 (i) issue the voter a voter authority card;

23 (ii) have the voter sign the voter authority card; and

24 (iii) issue the voter a ballot.

25 (d) (1) [When a voter applies to change the voter's address during] DURING
26 early voting, [the] AN election judge shall determine whether [the] A voter resides in the
27 county in which the voter seeks to vote IF:

28 (I) THE VOTER APPLIES TO CHANGE THE VOTER'S ADDRESS; OR

29 (II) THE VOTER HAS DECLINED TO AFFILIATE WITH A POLITICAL

1 **PARTY AND APPLIES TO AFFILIATE WITH A POLITICAL PARTY.**

2 (2) If the voter is a resident of the county, the election judge shall:

3 (i) issue the voter a voter authority card;

4 (ii) have the voter sign the voter authority card; and

5 (iii) issue the voter the appropriate ballot for the voter's new address

6 **OR PARTY AFFILIATION.**

7 (e) The State Board shall adopt regulations and procedures in accordance with
8 the requirements of this section for the administration of voter registration during early
9 voting.

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