

HOUSE BILL 423

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9lr0630
CF 9lr2885

By: **Delegates Kelly, Barve, Boyce, Chang, Ivey, Korman, R. Lewis, Lierman, Moon, Palakovich Carr, Qi, Reznik, Shetty, and Wilkins**

Introduced and read first time: January 31, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voter Registration – High Schools**

3 FOR the purpose of authorizing an individual to apply to become a registered voter at the
4 public or private high school where the individual is employed or enrolled; requiring
5 the State Board of Elections to designate public and private high schools as voter
6 registration entities where qualified employees and enrolled students may register
7 to vote; requiring certain high schools to designate certain individuals to distribute
8 a voter registration application to employees and certain students and to distribute
9 voter registration applications to employees and certain students at least a certain
10 number of times during the school year; requiring certain high schools to provide
11 certain documentation to prospective registrants; requiring certain high schools to
12 accept a completed voter registration application for transmittal to the appropriate
13 election board; authorizing an applicant to mail a voter registration application to
14 the appropriate State election official or return it to a designated individual for
15 transmittal to the appropriate election official; requiring certain individuals to
16 transmit a voter registration application to the appropriate State election official
17 within a certain time after the acceptance of the voter registration application;
18 prohibiting certain individuals from taking certain actions regarding voter
19 registration; prohibiting information relating to a declination to register to vote at
20 a high school from being used for certain purposes; prohibiting the identity of the
21 high school through which a particular voter has registered from being disclosed to
22 the public; authorizing certain individuals to review a voter registration application
23 for completeness out of the applicant's presence and take certain action if an
24 incomplete application is discovered; requiring that certain regulations be adopted
25 by the State Board of Elections, in cooperation with the State Board of Education;
26 providing for a delayed effective date; and generally relating to voter registration in
27 high schools.

28 BY repealing and reenacting, without amendments,
29 Article – Election Law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 3–102(a)(1)
2 Annotated Code of Maryland
3 (2017 Replacement Volume and 2018 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article – Election Law
6 Section 3–201
7 Annotated Code of Maryland
8 (2017 Replacement Volume and 2018 Supplement)

9 BY adding to
10 Article – Election Law
11 Section 3–204.3
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2018 Supplement)

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

16 **Article – Election Law**

17 3–102.

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

20 (i) is a citizen of the United States;

21 (ii) is at least 16 years old;

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

24 (iv) registers pursuant to this title.

25 3–201.

26 (a) An individual may apply to become a registered voter:

27 (1) at a local board office or the State Board office;

28 (2) at a registration site administered by a local board;

29 (3) by mail;

30 (4) when applying to the Motor Vehicle Administration for the issuance,
31 renewal, or modification of a driver's license or identification card;

- 1 (5) when applying for services at a voter registration agency;
- 2 (6) through the State Board's online voter registration system; [or]
- 3 (7) with the assistance of a volunteer authorized by the State or local board;

4 **OR**

5 **(8) AT THE PUBLIC OR PRIVATE HIGH SCHOOL WHERE THE**
6 **INDIVIDUAL IS EMPLOYED OR ENROLLED.**

7 (b) An individual who is at least 18 years old or will be 18 years old on or before
8 the day of the next succeeding general or special election may be a volunteer under
9 subsection (a)(7) of this section.

10 **3-204.3.**

11 **(A) THE STATE BOARD SHALL DESIGNATE PUBLIC AND PRIVATE HIGH**
12 **SCHOOLS AS VOTER REGISTRATION ENTITIES WHERE QUALIFIED EMPLOYEES AND**
13 **ENROLLED STUDENTS MAY APPLY TO REGISTER TO VOTE.**

14 **(B) EACH HIGH SCHOOL DESIGNATED UNDER SUBSECTION (A) OF THIS**
15 **SECTION SHALL:**

16 **(1) DESIGNATE FACULTY OR STAFF MEMBERS TO DISTRIBUTE AND**
17 **ACCEPT VOTER REGISTRATION APPLICATIONS APPROVED BY THE STATE BOARD;**

18 **(2) DISTRIBUTE A VOTER REGISTRATION APPLICATION AT LEAST**
19 **TWICE EACH SCHOOL YEAR TO EACH EMPLOYEE AND STUDENT WHO IS OR WILL BE**
20 **16 YEARS OLD OR OLDER DURING THAT YEAR;**

21 **(3) PROVIDE A DOCUMENT TO PROSPECTIVE REGISTRANTS THAT**
22 **INCLUDES:**

23 **(I) THE QUESTION, "IF YOU ARE NOT REGISTERED TO VOTE**
24 **WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE**
25 **TODAY?";**

26 **(II) BOXES FOR THE APPLICANT TO CHECK TO INDICATE**
27 **WHETHER THE APPLICANT WOULD LIKE TO REGISTER OR DECLINES TO REGISTER**
28 **TO VOTE TOGETHER WITH THE STATEMENT IN CLOSE PROXIMITY TO THE BOXES AND**
29 **IN PROMINENT TYPE, "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE**
30 **CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";**

1 (III) THE STATEMENT, "IF YOU WOULD LIKE HELP IN FILLING
2 OUT THE VOTER REGISTRATION APPLICATION FORM, WE WILL HELP YOU. THE
3 DECISION WHETHER TO SEEK OR ACCEPT HELP IS YOURS. YOU MAY FILL OUT THE
4 APPLICATION FORM IN PRIVATE.";

5 (IV) THE STATEMENT, "IF YOU BELIEVE THAT SOMEONE HAS
6 INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO
7 VOTE, YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN
8 APPLYING TO REGISTER TO VOTE, OR YOUR RIGHT TO CHOOSE YOUR OWN POLITICAL
9 PARTY OR OTHER POLITICAL PREFERENCE, YOU MAY FILE A COMPLAINT WITH THE
10 STATE BOARD OF ELECTIONS."; AND

11 (V) THE ADDRESS AND TOLL-FREE TELEPHONE NUMBER OF
12 THE STATE BOARD; AND

13 (4) ACCEPT COMPLETED VOTER REGISTRATION APPLICATIONS
14 RETURNED TO A DESIGNATED FACULTY OR STAFF MEMBER UNDER SUBSECTION (C)
15 OF THIS SECTION FOR TRANSMITTAL TO THE APPROPRIATE ELECTION OFFICIAL.

16 (C) AN APPLICANT MAY MAIL THE VOTER REGISTRATION APPLICATION TO
17 THE APPROPRIATE STATE ELECTION OFFICIAL OR RETURN IT TO A DESIGNATED
18 FACULTY OR STAFF MEMBER FOR TRANSMITTAL TO THE APPROPRIATE ELECTION
19 OFFICIAL.

20 (D) WITHIN 5 DAYS AFTER THE ACCEPTANCE OF A VOTER REGISTRATION
21 APPLICATION, A DESIGNATED FACULTY OR STAFF MEMBER SHALL TRANSMIT THE
22 APPLICATION TO THE APPROPRIATE STATE ELECTION OFFICIAL.

23 (E) (1) A FACULTY OR STAFF MEMBER MAY NOT:

24 (I) SEEK TO INFLUENCE AN APPLICANT'S POLITICAL
25 PREFERENCE OR PARTY REGISTRATION;

26 (II) DISPLAY ANY POLITICAL PREFERENCE OR PARTY
27 ALLEGIANCE AT THE DESIGNATED TIME OF REGISTRATION; OR

28 (III) MAKE ANY STATEMENT TO AN APPLICANT OR TAKE ANY
29 ACTION THE PURPOSE OR EFFECT OF WHICH IS TO LEAD THE APPLICANT TO
30 BELIEVE THAT A DECISION TO REGISTER OR NOT TO REGISTER HAS ANY BEARING
31 ON THE APPLICANT'S EMPLOYMENT OR ENROLLMENT STATUS.

32 (2) INFORMATION RELATING TO A DECLINATION TO REGISTER TO
33 VOTE AT A HIGH SCHOOL MAY NOT BE USED FOR ANY PURPOSE OTHER THAN THE

1 MAINTENANCE OF VOTER REGISTRATION STATISTICS.

2 (3) NOTWITHSTANDING § 3-501 OF THIS TITLE AND § 4-401 OF THE
3 GENERAL PROVISIONS ARTICLE, THE IDENTITY OF A HIGH SCHOOL THROUGH
4 WHICH A PARTICULAR VOTER HAS REGISTERED MAY NOT BE DISCLOSED TO THE
5 PUBLIC.

6 (4) (I) A FACULTY OR STAFF MEMBER MAY REVIEW AN
7 APPLICATION FOR COMPLETENESS OUT OF THE APPLICANT'S PRESENCE.

8 (II) IF THE FACULTY OR STAFF MEMBER DISCOVERS AN
9 INCOMPLETE APPLICATION, THE FACULTY OR STAFF MEMBER MAY NOTIFY THE
10 APPLICANT AND ALLOW THE APPLICANT TO COMPLETE THE APPLICATION.

11 (F) ANY REGULATIONS ADOPTED TO CARRY OUT THE REQUIREMENTS OF
12 THIS SECTION, INCLUDING PROVISIONS FOR TRAINING THE EMPLOYEES OF HIGH
13 SCHOOLS, SHALL BE ADOPTED BY THE STATE BOARD IN COOPERATION WITH THE
14 STATE BOARD OF EDUCATION.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2020.