

SENATE BILL 449

G1

(9lr1123)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means —

Introduced by **Senators Pinsky, Augustine, Carter, Ellis, Feldman, Ferguson, Guzzone, Kagan, King, Klausmeier, Lam, Lee, Miller, Peters, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Election Law – ~~Election Day Voter~~ Registration and Voting at Precinct Polling**
3 **Places**

4 FOR the purpose of providing an exception to the voter registration deadline to allow an
5 individual to appear at a ~~certain~~ precinct polling place ~~to~~ in the individual's county
6 of residence and apply to register to vote ~~or change the voter's address on an existing~~
7 ~~voter registration~~; requiring a ~~certain~~ an applicant for a voter registration on election
8 day to provide proof of residency; specifying the acceptable forms of proof of
9 residency; requiring an election judge to ~~verify that a certain applicant's residence~~
10 ~~address is assigned to a certain precinct and to determine whether a certain~~
11 ~~individual~~ determine whether an applicant for voter registration resides in the
12 precinct and is qualified to become a registered voter; requiring an election judge to
13 process certain applicants for voter registration in a certain manner; ~~requiring an~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



~~election judge to issue a certain voter a provisional ballot under certain circumstances; requiring the State Board of Elections to take certain appropriate measures to notify potential registrants of the correct precinct polling place for the potential registrants' residence addresses except under certain circumstances; requiring an election judge to notify certain individuals of the correct precinct for the voter's residence address; ~~requiring an election judge to verify that a voter's new residence address is assigned to the precinct under certain circumstances; requiring an election judge to process certain voters who apply to change their address in a certain manner;~~ requiring the State Board of Elections to adopt regulations and procedures in accordance with the requirements of certain provisions of this Act for the administration of voter registration on election day; and generally relating to election day voter registration registration and voting at precinct polling places.~~

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–302

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

BY adding to

Article – Election Law

Section 3–306

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

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

That the Laws of Maryland read as follows:

Article – Election Law

3–302.

(a) Except as provided under ~~[§ 3–305]~~ **§§ 3–305 AND 3–306** of this subtitle, registration is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election.

(b) A voter registration application received when registration is closed shall be accepted and retained by a local board, but the registration of the applicant does not become effective until registration reopens.

(c) A voter registration application that is received by the local board after the close of registration shall be considered timely received for the next election provided:

(1) there is sufficient evidence, as determined by the local board pursuant to regulations adopted by the State Board, that the application was mailed on or before registration was closed for that election; or

1 (2) the application was submitted by the voter to the Motor Vehicle
2 Administration, a voter registration agency, another local board, or the State Board prior
3 to the close of registration.

4 **3-306.**

5 (A) ON ELECTION DAY, AN INDIVIDUAL MAY APPEAR AT ~~THE A~~ A PRECINCT
6 POLLING PLACE IN THE INDIVIDUAL'S COUNTY OF RESIDENCE ~~THAT THE LOCAL~~
7 ~~BOARD HAS ASSIGNED AS THE PRECINCT FOR THE INDIVIDUAL'S RESIDENCE~~
8 ~~ADDRESS TO:~~

9 ~~(1) AND APPLY TO REGISTER TO VOTE; OR~~

10 ~~(2) CHANGE THE VOTER'S ADDRESS ON AN EXISTING VOTER~~
11 ~~REGISTRATION.~~

12 (B) (1) WHEN APPLYING TO REGISTER TO VOTE ON ELECTION DAY, THE
13 APPLICANT SHALL PROVIDE PROOF OF RESIDENCY.

14 (2) THE APPLICANT SHALL PROVE RESIDENCY BY SHOWING THE
15 ELECTION JUDGE:

16 (I) A MARYLAND DRIVER'S LICENSE OR MARYLAND
17 IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS; OR

18 (II) IF THE APPLICANT DOES NOT HAVE A DRIVER'S LICENSE OR
19 IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS, A
20 COPY OF AN OFFICIAL DOCUMENT THAT:

21 1. MEETS THE REQUIREMENTS ESTABLISHED BY THE
22 STATE BOARD; AND

23 2. CONTAINS THE APPLICANT'S NAME AND CURRENT
24 ADDRESS.

25 (C) (1) WHEN AN INDIVIDUAL APPLIES TO REGISTER TO VOTE AT ~~THE A~~ A
26 PRECINCT POLLING PLACE ~~DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION~~
27 ON ELECTION DAY, THE ELECTION JUDGE SHALL:

28 ~~(I) VERIFY THE APPLICANT'S RESIDENCE ADDRESS IS~~
29 ~~ASSIGNED TO THE PRECINCT; AND~~

1 ~~(H)~~ DETERMINE WHETHER THE ~~INDIVIDUAL~~ APPLICANT
 2 RESIDES IN THE PRECINCT IN WHICH THE APPLICANT APPLIED AND IS QUALIFIED
 3 TO BECOME A REGISTERED VOTER.

4 (2) ~~AFTER VERIFYING THAT~~ IF THE VOTER IS A RESIDENT OF THE
 5 PRECINCT AND IS QUALIFIED TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:

6 (I) ISSUE THE VOTER A VOTER AUTHORITY CARD;

7 (II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND

8 (III) ISSUE THE VOTER A REGULAR BALLOT.

9 (3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE
 10 PRECINCT, IS QUALIFIED TO REGISTER TO VOTE, AND CHOOSES TO VOTE IN THE
 11 PRECINCT, THE ELECTION JUDGE SHALL ~~ISSUE THE VOTER A PROVISIONAL~~
 12 ~~BALLOT:~~

13 (I) ISSUE THE VOTER A VOTER AUTHORITY CARD;

14 (II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND

15 (III) ISSUE THE VOTER A PROVISIONAL BALLOT.

16 (D) (1) ~~THE~~ UNLESS A LOCAL BOARD ELECTS TO MAKE THE
 17 NOTIFICATION, THE STATE BOARD SHALL TAKE APPROPRIATE MEASURES TO
 18 NOTIFY POTENTIAL REGISTRANTS OF THE CORRECT PRECINCT POLLING PLACE FOR
 19 THE POTENTIAL REGISTRANTS' RESIDENCE ADDRESSES BEFORE EACH ELECTION.

20 (2) THE ELECTION JUDGE SHALL NOTIFY AN INDIVIDUAL WHO
 21 APPLIES TO REGISTER TO VOTE AT THE INCORRECT PRECINCT FOR THE VOTER'S
 22 RESIDENCE ADDRESS OF THE CORRECT PRECINCT FOR THE VOTER'S RESIDENCE
 23 ADDRESS.

24 ~~(E) (1) WHEN A VOTER APPLIES TO CHANGE THE VOTER'S ADDRESS AT~~
 25 ~~THE PRECINCT POLLING PLACE DESCRIBED UNDER SUBSECTION (A) OF THIS~~
 26 ~~SECTION ON ELECTION DAY, THE ELECTION JUDGE SHALL VERIFY THAT THE~~
 27 ~~VOTER'S NEW RESIDENCE ADDRESS IS ASSIGNED TO THE PRECINCT.~~

28 (2) ~~AFTER VERIFYING THAT THE VOTER IS A RESIDENT OF THE~~
 29 ~~PRECINCT, THE ELECTION JUDGE SHALL:~~

30 ~~(I) ISSUE THE VOTER A VOTER AUTHORITY CARD;~~

1 ~~(H) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND~~

2 ~~(HH) ISSUE THE VOTER A REGULAR BALLOT.~~

3 ~~(3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE~~
4 ~~PRECINCT, THE ELECTION JUDGE SHALL ISSUE THE VOTER A PROVISIONAL BALLOT.~~

5 ~~(F)~~ (E) THE STATE BOARD SHALL ADOPT REGULATIONS AND
6 PROCEDURES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR
7 THE ADMINISTRATION OF VOTER REGISTRATION ON ELECTION DAY.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.