

SENATE BILL 449

G1

9lr1123

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

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Election Day Voter Registration**

3 FOR the purpose of providing an exception to the voter registration deadline to allow an
4 individual to appear at a certain precinct polling place to apply to register to vote or
5 change the voter's address on an existing voter registration; requiring a certain
6 applicant for a voter registration to provide proof of residency; specifying the
7 acceptable forms of proof of residency; requiring an election judge to verify that a
8 certain applicant's residence address is assigned to a certain precinct and to
9 determine whether a certain individual is qualified to become a registered voter;
10 requiring an election judge to process certain applicants for voter registration in a
11 certain manner; requiring an election judge to issue a certain voter a provisional
12 ballot under certain circumstances; requiring the State Board of Elections to take
13 certain measures to notify potential registrants of the correct precinct polling place
14 for the potential registrants' residence addresses; requiring an election judge to
15 notify certain individuals of the correct precinct for the voter's residence address;
16 requiring an election judge to verify that a voter's new residence address is assigned
17 to the precinct under certain circumstances; requiring an election judge to process
18 certain voters who apply to change their address in a certain manner; requiring the
19 State Board of Elections to adopt regulations and procedures in accordance with the
20 requirements of certain provisions of this Act for the administration of voter
21 registration on election day; and generally relating to election day voter registration.

22 BY repealing and reenacting, with amendments,
23 Article – Election Law
24 Section 3–302
25 Annotated Code of Maryland
26 (2017 Replacement Volume and 2018 Supplement)

27 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Election Law
 2 Section 3–306
 3 Annotated Code of Maryland
 4 (2017 Replacement Volume and 2018 Supplement)

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

7 **Article – Election Law**

8 3–302.

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

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

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

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

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

23 **3–306.**

24 **(A) ON ELECTION DAY, AN INDIVIDUAL MAY APPEAR AT THE PRECINCT**
 25 **POLLING PLACE IN THE INDIVIDUAL’S COUNTY OF RESIDENCE THAT THE LOCAL**
 26 **BOARD HAS ASSIGNED AS THE PRECINCT FOR THE INDIVIDUAL’S RESIDENCE**
 27 **ADDRESS TO:**

28 **(1) APPLY TO REGISTER TO VOTE; OR**

29 **(2) CHANGE THE VOTER’S ADDRESS ON AN EXISTING VOTER**
 30 **REGISTRATION.**

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

1 **(2) THE APPLICANT SHALL PROVE RESIDENCY BY SHOWING THE**
2 **ELECTION JUDGE:**

3 **(I) A MARYLAND DRIVER'S LICENSE OR MARYLAND**
4 **IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS; OR**

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

8 **1. MEETS THE REQUIREMENTS ESTABLISHED BY THE**
9 **STATE BOARD; AND**

10 **2. CONTAINS THE APPLICANT'S NAME AND CURRENT**
11 **ADDRESS.**

12 **(C) (1) WHEN AN INDIVIDUAL APPLIES TO REGISTER TO VOTE AT THE**
13 **PRECINCT POLLING PLACE DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION**
14 **ON ELECTION DAY, THE ELECTION JUDGE SHALL:**

15 **(I) VERIFY THE APPLICANT'S RESIDENCE ADDRESS IS**
16 **ASSIGNED TO THE PRECINCT; AND**

17 **(II) DETERMINE WHETHER THE INDIVIDUAL IS QUALIFIED TO**
18 **BECOME A REGISTERED VOTER.**

19 **(2) AFTER VERIFYING THAT THE VOTER IS A RESIDENT OF THE**
20 **PRECINCT AND IS QUALIFIED TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:**

21 **(I) ISSUE THE VOTER A VOTER AUTHORITY CARD;**

22 **(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND**

23 **(III) ISSUE THE VOTER A REGULAR BALLOT.**

24 **(3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE**
25 **PRECINCT, IS QUALIFIED TO REGISTER TO VOTE, AND CHOOSES TO VOTE IN THE**
26 **PRECINCT, THE ELECTION JUDGE SHALL ISSUE THE VOTER A PROVISIONAL BALLOT.**

27 **(D) (1) THE STATE BOARD SHALL TAKE APPROPRIATE MEASURES TO**
28 **NOTIFY POTENTIAL REGISTRANTS OF THE CORRECT PRECINCT POLLING PLACE FOR**
29 **THE POTENTIAL REGISTRANTS' RESIDENCE ADDRESSES BEFORE EACH ELECTION.**

1 **(2) THE ELECTION JUDGE SHALL NOTIFY AN INDIVIDUAL WHO**
2 **APPLIES TO REGISTER TO VOTE AT THE INCORRECT PRECINCT FOR THE VOTER'S**
3 **RESIDENCE ADDRESS OF THE CORRECT PRECINCT FOR THE VOTER'S RESIDENCE**
4 **ADDRESS.**

5 **(E) (1) WHEN A VOTER APPLIES TO CHANGE THE VOTER'S ADDRESS AT**
6 **THE PRECINCT POLLING PLACE DESCRIBED UNDER SUBSECTION (A) OF THIS**
7 **SECTION ON ELECTION DAY, THE ELECTION JUDGE SHALL VERIFY THAT THE**
8 **VOTER'S NEW RESIDENCE ADDRESS IS ASSIGNED TO THE PRECINCT.**

9 **(2) AFTER VERIFYING THAT THE VOTER IS A RESIDENT OF THE**
10 **PRECINCT, THE ELECTION JUDGE SHALL:**

11 **(I) ISSUE THE VOTER A VOTER AUTHORITY CARD;**

12 **(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND**

13 **(III) ISSUE THE VOTER A REGULAR BALLOT.**

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

16 **(F) THE STATE BOARD SHALL ADOPT REGULATIONS AND PROCEDURES IN**
17 **ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR THE**
18 **ADMINISTRATION OF VOTER REGISTRATION ON ELECTION DAY.**

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