

**HB0222/705061/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 222

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “website;” insert “requiring correctional facilities to display certain signs in certain areas; requiring correctional facilities to provide a certain drop box that incarcerated individuals may use to submit election-related materials to election officials; requiring correctional facilities to return ballots addressed to certain individuals to the local board of elections; requiring correctional facilities to designate an employee who will serve as a certain point of contact between the State Board of Elections and the correctional facility for the implementation of certain provisions of this Act; requiring each correctional facility to cooperate fully with the State Board and the local boards in implementing certain requirements;”; in the same line, strike “of Elections”; in line 10, strike “of elections”; in line 12, strike the second “and”; in line 13, after “ballots” insert “, and pick up certain materials on a certain basis”; in line 14, after “program;” insert “prohibiting the State Board or a local board from being required to disclose certain information concerning an incarcerated individual; requiring the State Board to engage certain organizations to facilitate voting by eligible voters;”; in line 16, after “Assembly;” insert “establishing a Voting Rights Ombudsman for Incarcerated Individuals; providing for the appointment and removal of the Ombudsman; requiring the Ombudsman to perform certain functions; authorizing the Ombudsman to conduct certain visits to correctional facilities to facilitate implementation of certain provisions of this Act; authorizing the Department and correctional facilities to limit the Ombudsman’s access to certain areas within correctional facilities under certain circumstances; requiring the Ombudsman to comply with certain security requirements before gaining access to a correctional facility; requiring the Ombudsman to submit a certain report to the State Board each year; requiring the State Board to provide a certain voter hotline for incarcerated individuals; requiring the State Board and the local boards to adopt certain regulations in collaboration with the Department and correctional facilities;”; in line 21, after “2-501”

(Over)

**HB0222/705061/1 Committee on Ways and Means  
Amendments to HB 222  
Page 2 of 6**

insert “and 2-502”; in the same line, after “of” insert “Incarcerated and”; and in line 27, after “1-303.1” insert “through 1-303.3”.

**AMENDMENT NO. 2**

On page 2, in line 10, after “OF” insert “INCARCERATED AND”; and after line 23, insert:

**“2-502.**

**(A) EACH CORRECTIONAL FACILITY SHALL:**

**(1) DISPLAY SIGNS DEVELOPED BY THE STATE BOARD OF ELECTIONS UNDER § 1-303.1 OF THE ELECTION LAW ARTICLE IN ALL AREAS WHERE INDIVIDUALS ARE PROCESSED DURING INTAKE OR FOR RELEASE AND IN APPROPRIATE AREAS WHERE THERE IS HIGH VISIBILITY;**

**(2) PROVIDE A SECURE, DESIGNATED DROP BOX THAT INCARCERATED INDIVIDUALS MAY USE TO EASILY SUBMIT ELECTION-RELATED MATERIALS TO ELECTION OFFICIALS;**

**(3) IF THE CORRECTIONAL FACILITY RECEIVES A BALLOT ADDRESSED TO AN INDIVIDUAL WHO HAS BEEN RELEASED FROM INCARCERATION, RETURN THE BALLOT TO THE LOCAL BOARD; AND**

**(4) DESIGNATE AN EMPLOYEE WHO WILL SERVE AS THE PRIMARY POINT OF CONTACT BETWEEN THE STATE BOARD OF ELECTIONS AND THE CORRECTIONAL FACILITY FOR THE IMPLEMENTATION OF THIS SUBSECTION.**

**(B) EACH CORRECTIONAL FACILITY SHALL COOPERATE FULLY WITH THE STATE BOARD OF ELECTIONS AND THE LOCAL BOARDS OF ELECTIONS IN IMPLEMENTING THIS SECTION.**

On page 3, in line 10, after “VOTERS” insert “AT LEAST TWICE DURING THE PERIOD BEGINNING”; in line 11, strike “AT LEAST”; in the same line, strike “30” and substitute “60”; in line 12, after “ELECTION” insert “AND ENDING ON THE DEADLINE TO REGISTER TO VOTE BEFORE EACH ELECTION”; in line 17, strike the second “AND”; in line 20, after “VOTERS” insert “; AND”

**(5) PICK UP ON A REGULAR BASIS ELECTION-RELATED MATERIALS THAT HAVE BEEN PLACED IN A DROP BOX UNDER § 2-502(A)(3) OF THE CORRECTIONAL SERVICES ARTICLE;**

in line 21, after “(D)” insert “(1)”; and after line 23, insert:

**“(2) NOTWITHSTANDING TITLE 4 OF THE GENERAL PROVISIONS ARTICLE, THE STATE BOARD OR A LOCAL BOARD MAY NOT BE REQUIRED TO DISCLOSE ANY IDENTIFYING INFORMATION CONCERNING AN INCARCERATED INDIVIDUAL THAT THE STATE BOARD OR A LOCAL BOARD OBTAINS FROM A CORRECTIONAL FACILITY FOR THE PURPOSE OF IMPLEMENTING THE PROGRAM UNDER THIS SECTION.**

**(3) THE STATE BOARD SHALL ENGAGE NONPARTISAN COMMUNITY ORGANIZATIONS TO FACILITATE VOTING BY ELIGIBLE VOTERS.**

On page 4, in line 7, strike “AND”; in line 9, after “ARTICLE” insert “; AND”

**(5) A DESCRIPTION OF ANY VIOLATIONS OF THIS SECTION OR VIOLATIONS OF TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES**

(Over)

ARTICLE THAT WERE REPORTED BY THE VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS UNDER § 1-303.2(F) OF THIS SUBTITLE";

and after line 9, insert:

"1-303.2.

(A) IN THIS SECTION, "OMBUDSMAN" MEANS THE VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS.

(B) THERE IS A VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS.

(C) (1) THE STATE ADMINISTRATOR FOR THE STATE BOARD SHALL APPOINT THE OMBUDSMAN.

(2) THE OMBUDSMAN MAY BE REMOVED FROM OFFICE BY THE STATE ADMINISTRATOR AFTER A FINDING OF INCOMPETENCY OR OTHER GOOD CAUSE.

(D) THE OMBUDSMAN SHALL:

(1) OVERSEE THE IMPLEMENTATION OF §§ 1-303.1 AND 1-303.3 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE; AND

(2) MAKE RECOMMENDATIONS TO THE STATE BOARD, THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, AND CORRECTIONAL FACILITIES ON APPROPRIATE COMMUNITY ORGANIZATIONS AND

PARTNERSHIPS TO ASSIST IN FACILITATING VOTING BY INCARCERATED INDIVIDUALS.

(E) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE OMBUDSMAN MAY CONDUCT SCHEDULED VISITS TO CORRECTIONAL FACILITIES TO FACILITATE IMPLEMENTATION OF §§ 1-303.1 AND 1-303.3 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE.

(2) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES AND CORRECTIONAL FACILITIES MAY LIMIT ACCESS TO AREAS WITHIN CORRECTIONAL FACILITIES WHEN RESTRICTIONS ARE REQUIRED FOR THE SAFETY OF THE OMBUDSMAN OR FOR THE EFFICIENT FUNCTIONING OF THE CORRECTIONAL FACILITIES.

(3) THE OMBUDSMAN SHALL OBTAIN A SECURITY CLEARANCE IF REQUIRED AND COMPLY WITH ALL OTHER SECURITY REGULATIONS BEFORE GAINING ACCESS TO A CORRECTIONAL FACILITY.

(F) ON OR BEFORE JANUARY 1 EACH YEAR, THE OMBUDSMAN SHALL SUBMIT A WRITTEN REPORT TO THE STATE BOARD ON THE IMPLEMENTATION OF §§ 1-303.1 AND 1-303.3 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE.

1-303.3.

(A) THE STATE BOARD SHALL PROVIDE A TOLL-FREE VOTER HOTLINE FOR INCARCERATED INDIVIDUALS TO RECEIVE INFORMATION ABOUT VOTING, REQUEST VOTING MATERIALS, AND REPORT VOTING RIGHTS VIOLATIONS.

**(B) THE STATE BOARD SHALL ADOPT REGULATIONS IN COLLABORATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES AND CORRECTIONAL FACILITIES FOR THE ADMINISTRATION OF THE VOTER HOTLINE.”**