

SENATE BILL 39

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(PRE-FILED)

3lr0481
CF HB 114

By: **Senator Kagan**

Requested: September 30, 2022

Introduced and read first time: January 11, 2023

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Ballot Access – Affiliating With a Party – Unaffiliated Voters**

3 FOR the purpose of requiring a local board of elections to change a voter's registration from
4 a decline to affiliate with a political party when voter registration is closed if the
5 request to affiliate is received by the local board by a certain time on the day before
6 early voting begins; providing that the change is effective beginning on the first day
7 of early voting; and generally relating to affiliating with a political party.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 3–303
11 Annotated Code of Maryland
12 (2022 Replacement Volume and 2022 Supplement)

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

15 **Article – Election Law**

16 3–303.

17 (a) Notification of a change of party affiliation or a change to or from a decline
18 may be made:

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

7 (b) Party affiliation changes or changes to or from a decline:

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

9 (2) except as provided in subsection (c) of this section, may not be processed
10 when registration is closed.

11 (c) (1) If a local board receives a request for a party affiliation change after the
12 close of registration, the local board shall make the change and it shall become effective for
13 the next election provided:

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

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

20 (2) IF A LOCAL BOARD RECEIVES A REQUEST TO AFFILIATE WITH A
21 POLITICAL PARTY FROM A VOTER WHO HAS DECLINED TO AFFILIATE WITH A PARTY
22 AFTER THE CLOSE OF REGISTRATION BUT BY 5 P.M. ON THE DAY BEFORE EARLY
23 VOTING BEGINS, THE LOCAL BOARD SHALL MAKE THE CHANGE AND IT SHALL BE
24 EFFECTIVE BEGINNING ON THE FIRST DAY OF EARLY VOTING.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2023.