

HOUSE BILL 91

G1
HB 192/24 – W&M

(PRE-FILED)

5lr1509

By: **Delegates R. Long, Arentz, Chisholm, Grammer, Hartman, Miller, T. Morgan, Nawrocki, Rose, Schmidt, Szeliga, and Tomlinson**

Requested: October 30, 2024

Introduced and read first time: January 8, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – In-Person Voting – Proof of Identity**

3 FOR the purpose of requiring an election judge to establish a voter’s identity by requiring
4 the voter to present certain proof of identity; requiring a voter to vote a provisional
5 ballot if the voter is unable to provide certain proof of identity; prohibiting a person
6 from knowingly and willfully voting or attempting to vote under a false form of
7 identification; and generally relating to requiring voters to present proof of identity
8 at a polling place.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 10–310 and 16–201
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2024 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 10–310.

18 (a) For each individual who seeks to vote, an election judge, in accordance with
19 instructions provided by the local board, shall:

20 (1) locate the individual’s name in the election register and locate the
21 preprinted voting authority card and then [authorize the individual to vote a regular ballot]

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ESTABLISH THE VOTER'S IDENTITY AS PROVIDED IN SUBSECTION (B) OF THIS
2 SECTION; AND

3 (2) (i) if the individual's name is not found on the election register,
4 search the inactive list and if the name is found, [authorize the individual to vote a regular
5 ballot] ESTABLISH THE VOTER'S IDENTITY AS PROVIDED IN SUBSECTION (B) OF THIS
6 SECTION; or

7 (ii) if the individual's name is not on the inactive list, refer the
8 individual for provisional ballot voting under § 9-404 of this article[;].

9 [(3)] (B) THE ELECTION JUDGE SHALL establish the VOTER'S identity
10 [of the voter] by:

11 (1) requesting the voter to state the month and day of the voter's birth and
12 comparing the response to the information listed in the election register;

13 (2) REQUIRING THE VOTER TO PRESENT:

14 (I) A VALID GOVERNMENT-ISSUED PHOTO IDENTIFICATION; OR

15 (II) 1. A VALID NONGOVERNMENT-ISSUED PHOTO
16 IDENTIFICATION; AND

17 2. A CURRENT UTILITY BILL, BANK STATEMENT,
18 PAYCHECK, GOVERNMENT CHECK, OR OTHER GOVERNMENT DOCUMENT THAT
19 STATES THE VOTER'S NAME AND ADDRESS;

20 [(4)] (3) (i) except if a voter's personal information has been deemed
21 confidential by the local board, verify the address of the voter's residence; or

22 (ii) conduct an alternative verification as established by the State
23 Board, if the voter's personal information has been deemed confidential by the local board;

24 [(5)] (4) if any changes to the voting authority card are indicated by a
25 voter, make the appropriate changes in information on the card or other appropriate form;
26 and

27 [(6)] (5) have the voter sign the voting authority card and either issue the
28 voter a ballot or send the voter to a machine to vote.

29 [(b)] (C) (1) [On] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS
30 SECTION, ON the completion of the procedures set forth in [subsection (a)] SUBSECTIONS
31 (A) AND (B) of this section, [a] THE ELECTION JUDGE SHALL AUTHORIZE THE
32 INDIVIDUAL TO VOTE A REGULAR BALLOT.

1 **(2)** A voter may vote **A REGULAR BALLOT** in accordance with the
2 procedures appropriate to the voting system used in the polling place.

3 **(D) THE ELECTION JUDGE SHALL REFER THE INDIVIDUAL FOR A**
4 **PROVISIONAL BALLOT UNDER § 9-404 OF THIS ARTICLE IF THE VOTER IS UNABLE TO**
5 **PROVIDE IDENTIFICATION AS REQUIRED UNDER SUBSECTION (B)(2) OF THIS**
6 **SECTION.**

7 **[(c)] (E)** (1) Before a voter enters a voting booth, at the request of the voter,
8 an election judge shall:

9 (i) instruct the voter about the operation of the voting system; and

10 (ii) allow the voter an opportunity to operate a model voting device,
11 if appropriate to the voting system in use.

12 (2) (i) 1. After a voter enters the voting booth, at the request of the
13 voter, two election judges representing different political parties shall instruct the voter on
14 the operation of the voting device.

15 2. An election judge may not suggest in any way how the
16 voter should vote for a particular ticket, candidate, or position on a question.

17 3. After instructing the voter, the election judges shall exit
18 the voting booth and allow the voter to vote privately.

19 (ii) A voter may take into the polling place any written or printed
20 material to assist the voter in marking or preparing the ballot.

21 (3) (i) Except as provided in subparagraph (ii) of this paragraph, a voter
22 who requires assistance in marking or preparing the ballot because of a physical disability
23 or an inability to read the English language may choose any individual to assist the voter.

24 (ii) A voter may not choose the voter's employer or agent of that
25 employer or an officer or agent of the voter's union to assist the voter in marking the ballot.

26 (4) If the voter requires the assistance of another in voting but declines to
27 select an individual to assist, an election judge, in the presence of another election judge
28 that represents another political party, shall assist the voter in the manner prescribed by
29 the voter.

30 (5) An individual assisting a voter may not suggest in any way how the
31 voter should vote for a particular ticket, candidate, or position on a question.

1 (6) If a voter requires assistance under paragraph (4) or (5) of this
2 subsection, the election judge shall record, on a form prescribed by the State Board, the
3 name of the voter who required assistance and the name of the individual providing
4 assistance to the voter.

5 (7) Except as provided in paragraph (3) or (4) of this subsection, an
6 individual over the age of 17 years may not accompany a voter into a voting booth.

7 16–201.

8 (a) In this section, “influence” includes the use of pressure, deception, trickery, or
9 direct or indirect authority to induce action or to change the decision or act of another,
10 regardless of the medium used.

11 (b) A person may not willfully and knowingly:

12 (1) (i) impersonate another person in order to vote or attempt to vote;
13 [or]

14 (ii) vote or attempt to vote under a false name; **OR**

15 **(III) VOTE OR ATTEMPT TO VOTE UNDER A FALSE FORM OF**
16 **IDENTIFICATION;**

17 (2) vote more than once for a candidate for the same office or for the same
18 ballot question;

19 (3) vote or attempt to vote more than once in the same election, or vote in
20 more than one election district or precinct;

21 (4) vote in an election district or precinct without the legal authority to vote
22 in that election district or precinct;

23 (5) influence or attempt to influence a voter’s voting decision through the
24 use of force, threat, menace, intimidation, bribery, reward, or offer of reward;

25 (6) influence or attempt to influence a voter’s decision, through the use of
26 force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward, whether to:

27 (i) go to the polls to cast a vote; or

28 (ii) vote by other lawful means; or

29 (7) engage in conduct that results or has the intent to result in the denial
30 or abridgement of the right of any citizen of the United States to vote on account of race,
31 color, or disability.

1 (c) Except as provided in § 16–1002 of this title, a person who violates this section
2 is guilty of a misdemeanor and on conviction is subject to a fine of not more than \$5,000 or
3 imprisonment for not more than 5 years or both.

4 (d) A person who violates this section is subject to § 5–106(b) of the Courts Article.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2025.