

HOUSE BILL 156

G1
HB 257/24 – W&M

~~EMERGENCY BILL~~
(PRE-FILED)

6lr1097
CF SB 132

By: Delegates Fair, Pasteur, Ruth, ~~and Wu~~ Wu, Schmidt, Solomon, Lehman, Stewart, and Terrasa

Requested: October 3, 2025

Introduced and read first time: January 14, 2026

Assigned to: Government, Labor, and Elections

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2026

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Affiliating With a Party and Voting – Unaffiliated Voters**

3 FOR the purpose of authorizing unaffiliated voters to request to affiliate with a political
4 party at an early voting center ~~during~~ before a primary election or at a precinct
5 polling place on a primary election day and vote a provisional ballot for the voter's
6 preferred political party; and generally relating to affiliating with a political party
7 and voting in a primary election.

8 BY repealing and reenacting, with amendments,

9 Article – Election Law

10 Section 3–303, 3–305(a) and (e), 3–306(a) and (e), 9–404(b), and 11–303(d)(4)

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2025 Supplement)

13 BY adding to

14 Article – Election Law

15 Section 3–305(e) and 3–306(e)

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2025 Supplement)

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

19 That the Laws of Maryland read as follows:

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.



1 **Article – Election Law**

2 3–303.

3 (a) Notification of a change of party affiliation or a change to or from a decline
4 may be made:5 (1) by information provided on a voter registration application by the same
6 methods provided for registration under Subtitle 2 of this title;7 (2) by written notice, signed by the voter and sent by mail or otherwise
8 delivered to the local board in the county where the voter's current voter registration
9 address is located or to which the voter has moved;10 (3) by making application in person at the office of the local board in the
11 county where the voter's current voter registration address is located or to which the voter
12 has moved;13 (4) by information on a voter authority card or other appropriate form filled
14 out in a polling place; or

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

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

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

18 (2) except as provided in subsection (c) of this section, may not be processed
19 when registration is closed.20 (c) **(1)** If a local board receives a request for a party affiliation change after the
21 close of registration, the local board shall make the change and it shall become effective for
22 the next election provided:23 **[(1)] (I)** there is sufficient evidence, as determined by the local boards
24 pursuant to regulations adopted by the State Board, that the request was mailed on or
25 before the close of registration for that election; or26 **[(2)] (II)** the request was submitted by the voter to the Motor Vehicle
27 Administration, a voter registration agency, another local board, or the State Board on or
28 before the close of registration for that election.29 **(2) DURING A PRIMARY ELECTION, A VOTER WHO HAS DECLINED TO**
30 **AFFILIATE WITH A POLITICAL PARTY MAY REQUEST TO AFFILIATE WITH A POLITICAL**
31 **PARTY AT AN EARLY VOTING CENTER OR AT A PRECINCT POLLING PLACE ON**
32 **ELECTION DAY.**

1 3-305.

2 (a) (1) During early voting, an individual may appear in person at an early
3 voting center in the individual's county of residence and apply to register to vote or change
4 the voter's address on an existing voter registration.

5 (2) DURING EARLY VOTING BEFORE A PRIMARY ELECTION, AN
6 INDIVIDUAL WHO HAS DECLINED TO AFFILIATE WITH A POLITICAL PARTY MAY
7 APPEAR IN PERSON AT AN EARLY VOTING CENTER IN THE INDIVIDUAL'S COUNTY OF
8 RESIDENCE AND APPLY TO CHANGE THE VOTER'S EXISTING VOTER REGISTRATION
9 TO AFFILIATE WITH A POLITICAL PARTY.

10 (E) (1) WHEN A VOTER WHO HAS DECLINED TO AFFILIATE WITH A
11 POLITICAL PARTY APPLIES TO CHANGE THE VOTER'S EXISTING VOTER
12 REGISTRATION TO AFFILIATE WITH A POLITICAL PARTY DURING EARLY VOTING
13 BEFORE A PRIMARY ELECTION, THE ELECTION JUDGE SHALL DETERMINE WHETHER
14 THE VOTER RESIDES IN THE COUNTY IN WHICH THE VOTER SEEKS TO VOTE.

15 (2) IF THE VOTER IS A RESIDENT OF THE COUNTY, THE ELECTION
16 JUDGE SHALL:

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

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

19 (III) ISSUE THE VOTER A PROVISIONAL BALLOT FOR THE
20 APPROPRIATE POLITICAL PARTY.

21 [(e)] (F) The State Board shall adopt regulations and procedures in accordance
22 with the requirements of this section for the administration of voter registration during
23 early voting.

24 3-306.

25 (a) (1) On election day, an individual may appear at a precinct polling place in
26 the individual's county of residence and apply to register to vote.

27 (2) ON A PRIMARY ELECTION DAY, AN INDIVIDUAL WHO HAS
28 DECLINED TO AFFILIATE WITH A POLITICAL PARTY MAY APPEAR IN PERSON AT A
29 PRECINCT POLLING PLACE IN THE INDIVIDUAL'S COUNTY OF RESIDENCE AND APPLY
30 TO CHANGE THE VOTER'S EXISTING VOTER REGISTRATION TO AFFILIATE WITH A
31 POLITICAL PARTY.

1 **(E) (1) WHEN A VOTER WHO HAS DECLINED TO AFFILIATE WITH A**
 2 **POLITICAL PARTY APPLIES TO CHANGE THE VOTER'S EXISTING VOTER**
 3 **REGISTRATION TO AFFILIATE WITH A POLITICAL PARTY AT A PRECINCT POLLING**
 4 **PLACE ON A PRIMARY ELECTION DAY, THE ELECTION JUDGE SHALL DETERMINE**
 5 **WHETHER THE VOTER RESIDES IN THE COUNTY IN WHICH THE VOTER SEEKS TO**
 6 **VOTE.**

7 **(2) IF THE VOTER IS A RESIDENT OF THE COUNTY, THE ELECTION**
 8 **JUDGE SHALL:**

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

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

11 **(III) ISSUE THE VOTER A PROVISIONAL BALLOT FOR THE**
 12 **APPROPRIATE POLITICAL PARTY.**

13 **[(e)] (F) The State Board shall adopt regulations and procedures in accordance**
 14 **with the requirements of this section for the administration of voter registration on election**
 15 **day.**

16 9-404.

17 (b) An individual is eligible to cast a provisional ballot if:

18 (1) the individual declares in a written affirmation submitted with the
 19 provisional ballot that the individual is a registered voter in the State and is eligible to vote
 20 in that election; and

21 (2) (i) the individual's name does not appear on the election register;

22 (ii) an election official asserts that the individual is not eligible to
 23 vote; [or]

24 (iii) the individual does not have the necessary identification; OR

25 **(IV) THE INDIVIDUAL HAS DECLINED TO AFFILIATE WITH A**
 26 **POLITICAL PARTY AND APPLIES TO CHANGE THE VOTER'S EXISTING VOTER**
 27 **REGISTRATION TO AFFILIATE WITH A POLITICAL PARTY ~~DURING~~ AT AN EARLY**
 28 **VOTING CENTER BEFORE A PRIMARY ELECTION OR AT A PRECINCT POLLING PLACE**
 29 **ON A PRIMARY ELECTION DAY.**

30 11-303.

1 (d) (4) For the purposes of this section, an individual is qualified to vote the
2 provisional ballot cast if the local board determines that:

3 (i) the individual is registered in the State;

4 (ii) if the provisional ballot was cast because the voter failed to
5 provide required identification, the individual who cast the provisional ballot has met the
6 identification requirements established by the State Board;

7 (iii) if the provisional ballot was cast during a period covered by a
8 court order or other order extending the time for closing the polls, the order has not been
9 invalidated by a subsequent court order; [and]

10 (iv) if the provisional ballot was cast because the voter claimed a
11 different political party affiliation from the political party affiliation on record for the voter,
12 the voter made a selection in a nonpartisan board of education contest on the ballot; AND

13 (v) **IF THE PROVISIONAL BALLOT WAS CAST ~~DURING AT AN~~**
14 **EARLY VOTING CENTER BEFORE A PRIMARY ELECTION OR AT A PRECINCT POLLING**
15 **PLACE ON A PRIMARY ELECTION DAY BY AN INDIVIDUAL WHO WAS NOT AFFILIATED**
16 **WITH A POLITICAL PARTY, THE INDIVIDUAL APPLIED TO AFFILIATE WITH A**
17 **POLITICAL PARTY.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~is an emergency~~
19 ~~measure, is necessary for the immediate preservation of the public health or safety, has~~
20 ~~been passed by a ye and nay vote supported by three fifths of all the members elected to~~
21 ~~each of the two Houses of the General Assembly, and shall take effect from the date it is~~
22 ~~enacted;~~

23 (1) shall apply to all elections beginning with the statewide primary
24 election held in 2028; and

25 (2) may not apply to any special elections held before the statewide primary
26 election held in 2028.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 January 1, 2027.