

# HOUSE BILL 156

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HB 257/24 – W&M

EMERGENCY BILL  
(PRE-FILED)

6lr1097  
CF SB 132

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By: **Delegates Fair, Pasteur, Ruth, and Wu**

Requested: October 3, 2025

Introduced and read first time: January 14, 2026

Assigned to: Government, Labor, and Elections

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## A BILL ENTITLED

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 a primary election and vote a provisional ballot  
5 for the voter's preferred political party; and generally relating to affiliating with a  
6 political party and voting in a primary election.

7 BY repealing and reenacting, with amendments,

8 Article – Election Law

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

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2025 Supplement)

12 BY adding to

13 Article – Election Law

14 Section 3–305(e)

15 Annotated Code of Maryland

16 (2022 Replacement Volume and 2025 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Election Law**

20 3–303.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

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

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

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

**(2) DURING A PRIMARY ELECTION, A VOTER WHO HAS DECLINED TO AFFILIATE WITH A POLITICAL PARTY MAY REQUEST TO AFFILIATE WITH A POLITICAL PARTY AT AN EARLY VOTING CENTER.**

3–305.

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

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

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

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

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

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

15                   **(III) ISSUE THE VOTER A PROVISIONAL BALLOT FOR THE**  
16 **APPROPRIATE POLITICAL PARTY.**

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

20 9–404.

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

22                   **(1)** the individual declares in a written affirmation submitted with the  
23 provisional ballot that the individual is a registered voter in the State and is eligible to vote  
24 in that election; and

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

26                   **(ii)** an election official asserts that the individual is not eligible to  
27 vote; **[or]**

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

29                   **(IV) THE INDIVIDUAL HAS DECLINED TO AFFILIATE WITH A**  
30 **POLITICAL PARTY AND APPLIES TO CHANGE THE VOTER'S EXISTING VOTER**  
31 **REGISTRATION TO AFFILIATE WITH A POLITICAL PARTY DURING EARLY VOTING**  
32 **BEFORE A PRIMARY ELECTION.**

1 11-303.

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

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

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

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

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

14 (V) IF THE PROVISIONAL BALLOT WAS CAST DURING EARLY  
15 VOTING BEFORE A PRIMARY ELECTION BY AN INDIVIDUAL WHO WAS NOT  
16 AFFILIATED WITH A POLITICAL PARTY, THE INDIVIDUAL APPLIED TO AFFILIATE  
17 WITH A 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 yea 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.