

# HOUSE BILL 217

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CF SB 292

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By: **Delegates Cardin, Ali, Elmore, Frick, Rice, Ross, ~~and Walker~~ Walker, and Ivey**

Introduced and read first time: January 22, 2010

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Elections – Voter Registration and Voting – Age~~  
3 Election Law – Voter Registration and Nomination by Petition –  
4 Requirements

5 FOR the purpose of altering the qualifications for voter registration to allow an  
6 individual who is at least 16 years old to register to vote; ~~specifying that an~~  
7 ~~individual is not eligible to vote until a certain election in which the individual~~  
8 ~~is 18 years old or older; and generally relating to the age when an individual~~  
9 ~~becomes qualified to register to vote and to vote~~ specifying that an individual  
10 under the age of 18 years may vote in certain primary elections but may not  
11 vote in any other elections; altering the deadline for requesting a change of  
12 party affiliation to coincide with the deadline for registering to vote for an  
13 election; altering the date on which the number of petition signatures required  
14 for a candidate to be nominated by petition is determined; making conforming  
15 changes; and generally relating to requirements for voter registration and  
16 nomination by petition.

17 BY repealing and reenacting, with amendments,

18 Article – Election Law

19 Section 3-102, 3-303, and 5-703(e)

20 Annotated Code of Maryland

21 (2003 Volume and 2009 Supplement)

22 BY repealing and reenacting, without amendments,

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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 3-302.

2 (a) Registration is closed beginning at 9 p.m. on the 21st day preceding an  
3 election until the 11th day after that election.

4 (b) A voter registration application received when registration is closed shall  
5 be accepted and retained by a local board, but the registration of the applicant does  
6 not become effective until registration reopens.

7 (c) A voter registration application that is received by the local board after  
8 the close of registration shall be considered timely received for the next election  
9 provided:

10 (1) there is sufficient evidence, as determined by the local board  
11 pursuant to regulations adopted by the State Board, that the application was mailed  
12 on or before registration was closed for that election; or

13 (2) the application was submitted by the voter to the Motor Vehicle  
14 Administration, a voter registration agency, another local board, or the State Board  
15 prior to the close of registration.

16 3-303.

17 (a) [Except as provided in subsections (b) and (c) of this section, a] A local  
18 board, at the signed request of a registered voter, shall change that voter's party  
19 affiliation, or change the voter to or from a decline, at any time that registration is  
20 open.

21 (b) [(1) Except as provided in paragraph (2) of this subsection, party  
22 affiliation may not be changed:

23 (i) from 9 p.m. on the Monday, or the next regular business day  
24 if the Monday is a legal holiday, that is 12 weeks before the day on which a primary  
25 election is to be held under § 8-201 of this article, until and including the day on  
26 which the registration reopens after the primary election is held; and

27 (ii) from and including the day of issuance of a gubernatorial  
28 proclamation calling a special election, pursuant to § 8-710 of this article, or from 5  
29 p.m. on the next regular business day if the day of issuance is a legal holiday, until  
30 and including the day on which that special election is held.

31 (2) If a voter requests a party affiliation change during a period  
32 specified in paragraph (1) of this subsection, the local board shall make the change if]  
33 **IF A LOCAL BOARD RECEIVES A REQUEST FOR A PARTY AFFILIATION CHANGE**  
34 **AFTER THE CLOSE OF REGISTRATION, THE LOCAL BOARD SHALL MAKE THE**  
35 **CHANGE AND IT SHALL BECOME EFFECTIVE FOR THE NEXT ELECTION**  
36 **PROVIDED:**

1                    [(i)] (1) there is sufficient evidence, as determined by the local  
2 boards pursuant to regulations adopted by the State Board, that the request was  
3 mailed [before the beginning of the period specified in paragraph (1) of this  
4 subsection] ON OR BEFORE THE CLOSE OF REGISTRATION FOR THAT ELECTION;  
5 or

6                    [(ii)] (2) the request was submitted by the voter to the Motor  
7 Vehicle Administration, a voter registration agency, another local board, or the State  
8 Board [before the beginning of the period specified in paragraph (1) of this subsection]  
9 ON OR BEFORE THE CLOSE OF REGISTRATION FOR THAT ELECTION.

10                  [(c) If a registered voter has moved from one county to another within the  
11 State since the last general election, the voter may change party affiliation or change  
12 to or from a decline, one time only, during a period specified in subsection (b)(1) of this  
13 section.

14                  (d) An individual whose registration has been canceled at the individual's  
15 request within a period specified in subsection (b) of this section may not reregister in  
16 the same county during the same period with a party affiliation or nonaffiliation  
17 different from the previous registration.]

18 5-703.

19                  (e) (1) A candidate who seeks nomination by petition may not have the  
20 candidate's name placed on the general election ballot unless the candidate files with  
21 the appropriate board petitions signed by not less than 1% of the total number of  
22 registered voters who are eligible to vote for the office for which the nomination by  
23 petition is sought, except that the petitions shall be signed by at least 250 registered  
24 voters who are eligible to vote for the office.

25                  (2) The petitions shall be filed as required in Title 6 of this article.

26                  (3) The number of registered voters required to satisfy the  
27 requirements of paragraph (1) of this section shall be determined as of [the deadline  
28 for changing party affiliation before] JANUARY 1 OF THE YEAR OF the primary  
29 election for which the nomination is sought.

30                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 ~~October~~ June 1, 2010.