

HOUSE BILL 286

G1

9lr0736

By: Delegates Reznik, Bagnall, Brooks, Cardin, Charkoudian, Ebersole, Hettleman, Jones, R. Lewis, Lierman, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Qi, Sample-Hughes, Solomon, Stewart, Terrasa, and Valderrama, Valderrama, Smith, Guyton, Wilkins, Patterson, Kaiser, Washington, Mosby, Turner, Ivey, Feldmark, and D. Barnes

Introduced and read first time: January 25, 2019

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 20, 2019

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Registration and Voting at Precinct Polling Places**

3 FOR the purpose of providing an exception to the voter registration deadline to allow an
4 individual to appear at a precinct polling place in the individual's county of residence
5 and apply to register to vote ~~or change the voter's address on an existing voter~~
6 ~~registration~~; requiring an applicant for voter registration on election day to provide
7 proof of residency; specifying the acceptable forms of proof of residency; requiring an
8 election judge to determine whether an applicant for voter registration resides in the
9 precinct and is qualified to become a registered voter; requiring an election judge to
10 process certain applicants for voter registration in a certain manner; requiring local
11 boards of elections to take appropriate measures to notify potential registrants of the
12 correct precinct polling place for the potential registrants' residence addresses;
13 requiring an election judge to notify certain individuals of the correct precinct for the
14 voter's residence address; ~~requiring an election judge to determine whether a voter~~
15 ~~who applies to change the voter's address resides in the precinct where the voter~~
16 ~~seeks to vote; requiring an election judge to process certain voters who apply to~~
17 ~~change their address in a certain manner~~; requiring the State Board of Elections to
18 adopt regulations and procedures in accordance with the requirements of certain
19 provisions of this Act for the administration of voter registration on election day; and
20 generally relating to registration and voting at precinct polling places.

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 BY repealing and reenacting, with amendments,
2 Article – Election Law
3 Section 3–302
4 Annotated Code of Maryland
5 (2017 Replacement Volume and 2018 Supplement)

6 BY adding to
7 Article – Election Law
8 Section 3–306
9 Annotated Code of Maryland
10 (2017 Replacement Volume and 2018 Supplement)

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

13 **Article – Election Law**

14 **3–302.**

15 (a) Except as provided under [§ 3–305] **§§ 3–305 AND 3–306** of this subtitle,
16 registration is closed beginning at 9 p.m. on the 21st day preceding an election until the
17 11th day after that election.

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

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

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

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

29 **3–306.**

30 (A) ON ELECTION DAY, AN INDIVIDUAL MAY APPEAR AT A PRECINCT
31 POLLING PLACE IN THE INDIVIDUAL'S COUNTY OF RESIDENCE AND APPLY TO
32 REGISTER TO VOTE ~~OR CHANGE THE VOTER'S ADDRESS ON AN EXISTING VOTER~~
33 ~~REGISTRATION.~~

1 **(B) (1) WHEN APPLYING TO REGISTER TO VOTE ON ELECTION DAY, THE**
2 **APPLICANT SHALL PROVIDE PROOF OF RESIDENCY.**

3 **(2) THE APPLICANT SHALL PROVE RESIDENCY BY SHOWING THE**
4 **ELECTION JUDGE:**

5 **(I) A MARYLAND DRIVER'S LICENSE OR MARYLAND**
6 **IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS; OR**

7 **(II) IF THE APPLICANT DOES NOT HAVE A DRIVER'S LICENSE OR**
8 **IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS, A**
9 **COPY OF AN OFFICIAL DOCUMENT THAT:**

10 **1. MEETS THE REQUIREMENTS ESTABLISHED BY THE**
11 **STATE BOARD; AND**

12 **2. CONTAINS THE APPLICANT'S NAME AND CURRENT**
13 **ADDRESS.**

14 **(C) (1) WHEN AN INDIVIDUAL APPLIES TO REGISTER TO VOTE AT A**
15 **PRECINCT POLLING PLACE ON ELECTION DAY, THE ELECTION JUDGE SHALL**
16 **DETERMINE WHETHER THE APPLICANT RESIDES IN THE PRECINCT IN WHICH THE**
17 **APPLICANT APPLIED AND IS QUALIFIED TO BECOME A REGISTERED VOTER.**

18 **(2) IF THE VOTER IS A RESIDENT OF THE PRECINCT AND IS QUALIFIED**
19 **TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:**

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

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

22 **(III) ISSUE THE VOTER A REGULAR BALLOT.**

23 **(3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE**
24 **PRECINCT, IS QUALIFIED TO REGISTER TO VOTE, AND CHOOSES TO VOTE IN THE**
25 **PRECINCT, THE ELECTION JUDGE SHALL:**

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

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

28 **(III) ISSUE THE VOTER A PROVISIONAL BALLOT.**

1 (D) (1) THE LOCAL BOARDS SHALL TAKE APPROPRIATE MEASURES TO
2 NOTIFY POTENTIAL REGISTRANTS OF THE CORRECT PRECINCT POLLING PLACE FOR
3 THE POTENTIAL REGISTRANTS' RESIDENCE ADDRESSES BEFORE EACH ELECTION.

4 (2) THE ELECTION JUDGE SHALL NOTIFY AN INDIVIDUAL WHO
5 APPLIES TO REGISTER TO VOTE AT THE INCORRECT PRECINCT FOR THE VOTER'S
6 RESIDENCE ADDRESS OF THE CORRECT PRECINCT FOR THE VOTER'S RESIDENCE
7 ADDRESS.

8 ~~(E) (1) WHEN A VOTER APPLIES TO CHANGE THE VOTER'S ADDRESS AT A
9 PRECINCT POLLING PLACE ON ELECTION DAY, THE ELECTION JUDGE SHALL
10 DETERMINE WHETHER THE VOTER RESIDES IN THE PRECINCT IN WHICH THE VOTER
11 SEEKS TO VOTE.~~

12 ~~(2) IF THE VOTER IS A RESIDENT OF THE PRECINCT, THE ELECTION
13 JUDGE SHALL:~~

14 ~~(I) ISSUE THE VOTER A VOTER AUTHORITY CARD;~~

15 ~~(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND~~

16 ~~(III) ISSUE THE VOTER A REGULAR BALLOT.~~

17 ~~(3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE
18 PRECINCT, THE ELECTION JUDGE SHALL:~~

19 ~~(I) ISSUE THE VOTER A VOTER AUTHORITY CARD;~~

20 ~~(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND~~

21 ~~(III) ISSUE THE VOTER A PROVISIONAL BALLOT.~~

22 ~~(F)~~ (E) THE STATE BOARD SHALL ADOPT REGULATIONS AND
23 PROCEDURES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR
24 THE ADMINISTRATION OF VOTER REGISTRATION ON ELECTION DAY.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2019.