

# HOUSE BILL 43

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HB 125/14 – W&M

5lr0347

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By: **Delegates Rosenberg and Parrott**

Introduced and read first time: January 16, 2015

Assigned to: Ways and Means

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Committee Report: Favorable

House action: Adopted

Read second time: March 10, 2015

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

1 AN ACT concerning

2 **Election Law – Petitions – Prohibited Actions**

3 FOR the purpose of prohibiting a person from willfully and knowingly preventing,  
4 hindering, or delaying another person from signing a petition by certain means; and  
5 generally relating to prohibited actions relating to petitions.

6 BY repealing and reenacting, with amendments,  
7 Article – Election Law  
8 Section 16–401  
9 Annotated Code of Maryland  
10 (2010 Replacement Volume and 2014 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 16–401.

15 (a) A person may not willfully and knowingly:

16 (1) give, transfer, promise, or offer anything of value for the purpose of  
17 inducing another person to sign or not sign any petition;

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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                   (2)     request, receive, or agree to receive, anything of value as an inducement  
2 to sign or not to sign any petition;

3                   (3)     misrepresent any fact for the purpose of inducing another person to sign  
4 or not to sign any petition;

5                   (4)     sign the name of any other person to a petition;

6                   (5)     falsify any signature or purported signature to a petition;

7                   (6)     obtain, or attempt to obtain, any signature to a petition by fraud,  
8 duress, or force;

9                   **(7)     PREVENT, HINDER, OR DELAY ANOTHER PERSON WHO HAS A**  
10 **LAWFUL RIGHT TO SIGN A PETITION FROM SIGNING A PETITION THROUGH THE USE**  
11 **OF FRAUD, DURESS, OR FORCE;**

12                   ~~[(7)]~~ **(8)**     circulate, cause to be circulated, or file with an election authority  
13 a petition that contains any false, forged, or fictitious signatures;

14                   ~~[(8)]~~ **(9)**     sign a petition that the person is not legally qualified to sign;

15                   ~~[(9)]~~ **(10)**    sign a petition more than once; or

16                   ~~[(10)]~~ **(11)**   alter any petition after it is filed with the election authority.

17           (b)     Each violation of this section shall be considered a separate offense.

18           (c)     A person who violates this section is guilty of a misdemeanor and is subject to  
19 the penalties provided in Subtitle 10 of this title.

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
21 1, 2015.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.