

# SENATE BILL 340

G1

1lr1224

(PRE-FILED)

---

By: **Senator Gallion**

Requested: October 28, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Offenses Related to Voting – Penalties**

3 FOR the purpose of altering the circumstances under which an individual is not qualified  
4 to be a registered voter to include if the individual has been convicted of a certain  
5 violation of the election law and less than a certain period of time has elapsed since  
6 the date of the conviction; providing that a person who is convicted of a certain  
7 violation of the election law is ineligible to vote for a certain period of time after the  
8 date of the conviction; making a conforming change; and generally relating to  
9 election law violations.

10 BY repealing and reenacting, with amendments,  
11 Article – Election Law  
12 Section 3–102(b) and 16–201  
13 Annotated Code of Maryland  
14 (2017 Replacement Volume and 2020 Supplement)

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

17 **Article – Election Law**

18 3–102.

19 (b) An individual is not qualified to be a registered voter if the individual:

20 (1) has been convicted of a felony and is currently serving a court-ordered  
21 sentence of imprisonment for the conviction;

22 (2) is under guardianship for mental disability and a court of competent  
23 jurisdiction has specifically found by clear and convincing evidence that the individual

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 cannot communicate, with or without accommodations, a desire to participate in the voting  
2 process; [or]

3 (3) has been convicted of buying or selling votes; OR

4 (4) **HAS BEEN CONVICTED OF A VIOLATION OF § 16-201(A)(2) OR (3)**  
5 **OF THIS ARTICLE AND LESS THAN 4 YEARS HAVE ELAPSED SINCE THE DATE OF THE**  
6 **CONVICTION.**

7 16-201.

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

9 (1) (i) impersonate another person in order to vote or attempt to vote;  
10 or

11 (ii) vote or attempt to vote under a false name;

12 (2) vote more than once for a candidate for the same office or for the same  
13 ballot question;

14 (3) vote or attempt to vote more than once in the same election, or vote in  
15 more than one election district or precinct;

16 (4) vote in an election district or precinct without the legal authority to vote  
17 in that election district or precinct;

18 (5) influence or attempt to influence a voter's voting decision through the  
19 use of force, threat, menace, intimidation, bribery, reward, or offer of reward;

20 (6) influence or attempt to influence a voter's decision whether to go to the  
21 polls to cast a vote through the use of force, fraud, threat, menace, intimidation, bribery,  
22 reward, or offer of reward; or

23 (7) engage in conduct that results or has the intent to result in the denial  
24 or abridgement of the right of any citizen of the United States to vote on account of race,  
25 color, or disability.

26 (b) Except as provided in § 16-1002 of this title, a person who violates  
27 **SUBSECTION (A) OF** this section is guilty of a misdemeanor and on conviction is subject to  
28 a fine of not more than \$5,000 or imprisonment for not more than 5 years or both.

29 (c) **A PERSON WHO IS CONVICTED OF A VIOLATION OF SUBSECTION (A)(2)**  
30 **OR (3) OF THIS SECTION IS INELIGIBLE TO VOTE FOR A PERIOD OF 4 YEARS AFTER**  
31 **THE DATE OF THE CONVICTION.**

1            **[(c) (D)]**      A person who violates this section is subject to § 5–106(b) of the Courts  
2 Article.

3            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2021.