

# SENATE BILL 605

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CF HB 542

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By: **Senator Lewis Young**

Introduced and read first time: February 6, 2023

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Citizens Who Live Overseas – Right to Vote**

3 FOR the purpose of authorizing an overseas voter to register to vote and vote in federal,  
4 State, and local elections in a certain county; prohibiting an election director from  
5 removing an individual from a statewide voter registration list under certain  
6 circumstances; and generally relating to the right to vote of citizens of the United  
7 States who live overseas.

8 BY repealing and reenacting, with amendments,  
9 Article – Election Law  
10 Section 3–102 and 3–502  
11 Annotated Code of Maryland  
12 (2022 Replacement Volume and 2022 Supplement)

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

15 **Article – Election Law**

16 3–102.

17 (a) (1) Except as provided in [subsection] SUBSECTIONS (b) AND (C) of this  
18 section, an individual may become registered to vote if the individual:

19 (i) is a citizen of the United States;

20 (ii) is at least 16 years old;

21 (iii) is a resident of the State as of the day the individual seeks to  
22 register; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iv) registers pursuant to this title.

2 (2) Notwithstanding paragraph (1)(ii) of this subsection, an individual  
3 under the age of 18 years:

4 (i) may vote in a primary election in which candidates are  
5 nominated for a general or special election that will occur when the individual is at least  
6 18 years old; and

7 (ii) may not vote in any other election.

8 **(B) IF THE INDIVIDUAL IS AN OVERSEAS VOTER, AS DEFINED IN THE**  
9 **FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT, WHO**  
10 **RESIDED IN THE STATE BEFORE DEPARTING FROM THE UNITED STATES TO LIVE**  
11 **OVERSEAS, THE INDIVIDUAL MAY REGISTER TO VOTE AND VOTE IN FEDERAL, STATE,**  
12 **AND LOCAL ELECTIONS IN THE COUNTY WHERE THE INDIVIDUAL:**

13 **(1) LAST RESIDED BEFORE DEPARTING FROM THE UNITED STATES;**  
14 **AND**

15 **(2) (I) WAS ELIGIBLE TO BE REGISTERED TO VOTE BEFORE**  
16 **DEPARTING FROM THE UNITED STATES; OR**

17 **(II) IF THE INDIVIDUAL WAS NOT ELIGIBLE TO BE REGISTERED**  
18 **TO VOTE BECAUSE THE INDIVIDUAL WAS NOT QUALIFIED UNDER SUBSECTION**  
19 **(A)(1)(II) OF THIS SECTION, WOULD HAVE OTHERWISE BEEN ELIGIBLE TO VOTE**  
20 **BEFORE DEPARTING FROM THE UNITED STATES.**

21 **[(b)] (C)** An individual is not qualified to be a registered voter if the individual:

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

24 (2) is under guardianship for mental disability and a court of competent  
25 jurisdiction has specifically found by clear and convincing evidence that the individual  
26 cannot communicate, with or without accommodations, a desire to participate in the voting  
27 process; or

28 (3) has been convicted of buying or selling votes.

29 3-502.

30 (a) (1) In this section the following words have the meanings indicated.

1 (2) "Confirmation notice" means a notice, approved by the State Board,  
2 that is sent by forwardable mail with a return card.

3 (3) "Return card" means a postage prepaid and preaddressed card on which  
4 the voter may report the voter's current address.

5 (b) [Upon] ON receiving any information that a voter currently registered in the  
6 State has moved to a different address within the State, the appropriate election official  
7 shall change the voter's record and send the voter a confirmation notice.

8 (c) If it appears from information provided by the postal service or an agency  
9 specified in § 3-504(b) of this subtitle that a voter has moved to a different address outside  
10 the State, the election official in the county where the voter most recently resided in the  
11 State shall send the voter a confirmation notice informing the voter of his or her potential  
12 inactive status as described in § 3-503 of this subtitle.

13 (d) [Upon] ON receipt of a return card, the election director shall:

14 (1) make any needed corrections in the statewide voter registration list;  
15 and

16 (2) in accordance with State Board guidelines, retain original voter  
17 registration documents.

18 (e) The election director may not remove a voter from the statewide voter  
19 registration list on the grounds of a change of address unless:

20 (1) the voter confirms in writing that the voter has changed residence to a  
21 location [outside the State] **IN ANOTHER STATE OR TERRITORY**; or

22 (2) (i) the voter has failed to respond to a confirmation notice under  
23 subsection (c) of this section; and

24 (ii) the voter has not voted or appeared to vote (and, if necessary,  
25 corrected the record of the voter's address) in an election during the period beginning with  
26 the date of the notice through the next two general elections.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2023.