

UNOFFICIAL COPY OF HOUSE BILL 1368
EMERGENCY BILL

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(6lr2473)

ENROLLED BILL

-- Ways and Means/Education, Health, and Environmental Affairs --

Introduced by ~~Delegates Hixson, Patterson~~ **Patterson, Hixson, Cardin, King,**
and McKee ~~McKee, Ross, Bozman, C. Davis, Goodwin, Gordon, Healey,~~
~~Heller, Howard, Kaiser, Marriott, Ramirez, and Rosenberg~~ **Rosenberg,**
and Conroy

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Voter Bill of Rights**

3 FOR the purpose of requiring a local board of elections to establish, under certain
4 circumstances, a separate precinct to serve certain institutions of higher
5 education; requiring each institution at which a precinct is established to
6 provide certain facilities and services to the local board; requiring that local
7 boards, when establishing early voting polling places, select sites that are
8 consistent with certain guidelines and regulations established by the State
9 Board of Elections; requiring certain polling places to be equipped with a certain
10 computer device; requiring the Governor to allocate certain resources to
11 implement the requirements of this Act; requiring the Governor to appropriate
12 sufficient funds to reimburse the counties for a certain portion of certain
13 expenditures; requiring the State Administrator of Elections to ensure that
14 selected sites for early voting have adequate infrastructure to accommodate

certain computer devices; requiring early voting polling places to be open for voting during certain hours; specifying certain early voting polling sites; providing for certain alternate sites to be selected under certain circumstances; requiring the State Board and the local boards to engage in certain voter outreach activities regarding early voting prior to each primary and general election; requiring the Governor to include certain funds in the annual budget for a certain purpose; providing that certain powers and duties assigned to the State Board shall be exercised in accordance with an affirmative vote of a supermajority of the members of the Board; requiring local boards of elections to administer voter registration and absentee balloting for certain facilities in accordance with procedures established by the State Board; establishing and altering certain powers and duties of local boards of elections, the election directors of local boards, and the State Administrator of Elections; authorizing the State Administrator to file suit for injunctive relief under certain circumstances; authorizing a registered voter or applicant for registration to file suit for injunctive relief under certain circumstances; authorizing the State Administrator to take certain disciplinary actions and make interim appointments under certain circumstances; requiring certain local boards to adopt certain regulations; requiring the regulations to be adopted, reviewed, and approved before the local board may take certain actions; placing certain restrictions on the alteration of precinct boundaries and polling place locations; placing certain restrictions on the removal of registered voters from the registry and on the rejection of voter registration applications; requiring the issuance of certain reports and the Internet publication of certain lists; providing for the application of certain provisions of this Act only to jurisdictions that meet certain criteria; providing for the termination of certain provisions of this Act; generally relating to the powers and duties of election boards, local election directors, and the State Administrator of Elections; requiring the State Administrator of Elections and the Office of the Attorney General to review and report on issues related to election day voter registration; making this Act an emergency measure; and generally relating to a voter bill of rights.

BY repealing and reenacting, with amendments,

Article - Election Law

~~Section 2-303(a) and 10-302~~

Section 2-102, 2-103, 2-202(b), 2-206, 2-301, 2-303(a), 3-501, and 10-302

Annotated Code of Maryland

(2003 Volume and 2005 Supplement)

BY repealing and reenacting, with amendments,

Article - Election Law

~~Section 10-301.1(c)(1)~~ 10-301.1(b) and (c)

Annotated Code of Maryland

(2003 Volume and 2005 Supplement)

(As enacted by Chapter 5 of the Acts of the General Assembly of 2006)

BY adding to

1 Article - Election Law
2 Section 2-202.1
3 Annotated Code of Maryland
4 (2003 Volume and 2005 Supplement)

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

7 **Article - Election Law**

8 2-102.

9 (a) The State Board shall manage and supervise elections in the State and
10 ensure compliance with the requirements of this article and any applicable federal law
11 by all persons involved in the elections process.

12 (b) In exercising its authority under this article and in order to ensure
13 compliance with this article and with any requirements of federal law, the State Board
14 shall:

15 (1) supervise the conduct of elections in the State;

16 (2) direct, support, monitor, and evaluate the activities of each local
17 board;

18 (3) have a staff sufficient to perform its functions;

19 (4) adopt regulations to implement its powers and duties;

20 (5) receive, and in its discretion audit, campaign finance reports;

21 (6) appoint a State Administrator in accordance with § 2-103 of this
22 subtitle;

23 (7) maximize the use of technology in election administration, including
24 the development of a plan for a comprehensive computerized elections management
25 system;

26 (8) canvass and certify the results of elections as prescribed by law;

27 (9) make available to the general public, in a timely and efficient manner,
28 information on the electoral process, including a publication that includes the text of
29 this article, relevant portions of the Maryland Constitution, and information gathered
30 and maintained regarding elections;

31 (10) subject to §§ 2-106 and 13-341 of this article, receive, maintain, and
32 serve as a depository for elections documents, materials, records, statistics, reports,
33 certificates, proclamations, and other information prescribed by law or regulation;

34 (11) prescribe all forms required under this article; and

1 (12) serve as the official designated office in accordance with the
2 Uniformed and Overseas Citizens Absentee Voting Act for providing information
3 regarding voter registration and absentee ballot procedures for absent uniformed
4 services voters and overseas voters with respect to elections for federal office.

5 (C) THE POWERS AND DUTIES ASSIGNED TO THE STATE BOARD UNDER THIS
6 ARTICLE SHALL BE EXERCISED IN ACCORDANCE WITH AN AFFIRMATIVE VOTE BY A
7 SUPERMAJORITY OF THE MEMBERS OF THE STATE BOARD.

8 2-202.

9 (b) Each local board, in accordance with the provisions of this article and
10 regulations adopted by the State Board, shall:

11 (1) oversee the conduct of all elections held in its county and ensure that
12 the elections process is conducted in an open, convenient, and impartial manner;

13 (2) pursuant to the State Personnel and Pensions Article, or its county
14 merit system, whichever is applicable, appoint an election director to manage the
15 operations and supervise the staff of the local board;

16 (3) maintain an office and be open for business as provided in this article,
17 and provide the supplies and equipment necessary for the proper and efficient conduct
18 of voter registration and election, including:

19 (i) supplies and equipment required by the State Board; and

20 (ii) office and polling place equipment expenses;

21 (4) adopt any regulation it considers necessary to perform its duties under
22 this article, which regulation shall become effective when it is filed with and approved
23 by the State Board;

24 (5) serve as the local board of canvassers and certify the results of each
25 election conducted by the local board;

26 (6) establish and alter the boundaries and number of precincts in
27 accordance with § 2-303 of this title, and provide a suitable polling place for each
28 precinct, and assign voters to precincts;

29 (7) provide to the general public timely information and notice, by
30 publication or mail, concerning voter registration and elections;

31 (8) make determinations and hear and decide challenges and appeals as
32 provided by law;

33 (i) aid in the prosecution of an offense under this article; and

34 (ii) when the board finds there is probable cause to believe an offense
35 has been committed, refer the matter to the appropriate prosecutorial authority; [and]

1 (10) *maintain and dispose of its records in accordance with the plan*
2 *adopted by the State Board under § 2-106 of this title; AND*

3 (11) ADMINISTER VOTER REGISTRATION AND ABSENTEE VOTING FOR
4 NURSING HOMES AND ASSISTED LIVING FACILITIES IN ACCORDANCE WITH
5 PROCEDURES ESTABLISHED BY THE STATE ADMINISTRATOR, SUBJECT TO THE
6 APPROVAL OF THE STATE BOARD.

7 2-303.

8 (a) (1) [As] SUBJECT TO PARAGRAPH (2) OF THIS SECTION, AS it deems it
9 expedient for the convenience of voters, a local board may:

10 [(1)] (I) create and alter the boundaries for precincts in the county;

11 [(2)] (II) designate the location for polling places in any election district,
12 ward, or precinct in the county; and

13 [(3)] (III) combine or abolish precincts.

14 (2) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (III) OF THIS
15 PARAGRAPH, A LOCAL BOARD SHALL ESTABLISH A SEPARATE PRECINCT ON CAMPUS
16 OR WITHIN ONE-HALF MILE OF THE CAMPUS TO SPECIFICALLY SERVE A PUBLIC OR
17 PRIVATE INSTITUTION OF HIGHER EDUCATION IF THE LOCAL BOARD DETERMINES
18 THAT AT LEAST 500 STUDENTS, FACULTY, AND STAFF WHO ATTEND OR WORK AT THE
19 INSTITUTION ARE REGISTERED VOTERS IN THE PRECINCT IN WHICH THE
20 INSTITUTION IS LOCATED.

21 (II) IF, IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS
22 PARAGRAPH, A POLLING PLACE IS ESTABLISHED AT AN INSTITUTION OF HIGHER
23 EDUCATION THAT RECEIVES STATE FUNDS, THAT INSTITUTION SHALL:

24 1. PROVIDE WITHOUT CHARGE TO THE LOCAL BOARD A
25 FACILITY FOR USE AS A POLLING PLACE THAT MEETS ALL APPLICABLE
26 REQUIREMENTS UNDER THIS ARTICLE AND AS ESTABLISHED BY THE STATE BOARD;
27 AND

28 2. PROVIDE ASSISTANCE TO THE LOCAL BOARD IN
29 RECRUITING ELECTION JUDGES TO STAFF THE POLLING PLACE.

30 (III) A LOCAL BOARD MAY NOT BE REQUIRED TO ESTABLISH A
31 SEPARATE PRECINCT AS PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH
32 IF THERE IS AN ESTABLISHED PRECINCT WITHIN ONE-HALF MILE OF THE PUBLIC OR
33 PRIVATE INSTITUTION OF HIGHER EDUCATION'S CAMPUS THAT SERVES THE VOTERS
34 WHO ATTEND OR WORK AT THE PUBLIC OR PRIVATE INSTITUTION OF HIGHER
35 EDUCATION.

1 10-301.1.

2 (e) (1) (i) Each local board shall establish the early voting polling places
3 in its county.

4 (ii) ~~EXCEPT AS PROVIDED IN SUBPARAGRAPH (iii) OF THIS~~
5 ~~PARAGRAPH, WHEN ESTABLISHING THE EARLY VOTING POLLING PLACES, THE~~
6 ~~LOCAL BOARD SHALL, CONSISTENT WITH THE GUIDELINES AND REGULATIONS~~
7 ~~ESTABLISHED BY THE STATE BOARD:~~

8 1. SELECT A SITE IN THE COUNTY THAT IS
9 GEOGRAPHICALLY CENTRAL AND EASILY ACCESSIBLE SEAT, IF ONLY ONE LOCATION
10 IS BEING USED IN THE COUNTY; OR

11 2. SELECT SITES FROM RECOMMENDATIONS PROVIDED BY
12 THE CHAIRMEN OF THE LOCAL CENTRAL COMMITTEES OF THE RECOGNIZED
13 POLITICAL PARTIES, IF MULTIPLE LOCATIONS ARE USED IN THE COUNTY SELECT:

14 A. ONE SITE LOCATED IN THE COUNTY SEAT FOR EACH
15 COUNTY;

16 B. AT LEAST ONE SITE LOCATED AT A COMMUNITY COLLEGE
17 IN THE COUNTY; AND

18 C. ANY ADDITIONAL SITES IN THE COUNTY ONLY FROM THE
19 RECOMMENDATIONS OF THE CHAIRMEN OF THE LOCAL CENTRAL COMMITTEES OF
20 THE RECOGNIZED POLITICAL PARTIES.

21 (iii) ~~IN BALTIMORE CITY, THE LOCAL BOARD SHALL, CONSISTENT~~
22 ~~WITH THE GUIDELINES AND REGULATIONS ESTABLISHED BY THE STATE BOARD,~~
23 ~~ESTABLISH EARLY VOTING POLLING PLACES AT:~~

24 1. MORGAN STATE UNIVERSITY;

25 2. COPPIN STATE UNIVERSITY; AND

26 3. THE DUBURNS RECREATION CENTER.

27 (b) Each early voting polling place shall be open for voting:

28 (1) beginning the Tuesday before a primary or general election through
29 the Saturday before the election; and

30 (2) [8 hours each day] DURING THE HOURS BETWEEN 7 A.M. AND 8 P.M.
31 during the period specified under paragraph (1) of this subsection.

32 (c) (1) [Each] AS PROVIDED IN THIS SUBSECTION, EACH local board shall
33 establish the early voting polling places in its county.

1 (2) (i) In the following counties, the local board shall establish [at
2 least] three early voting polling places for each primary or general election AS
3 SPECIFIED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH:

- 4 1. Anne Arundel;
5 2. Baltimore City;
6 3. Baltimore County;
7 4. Harford;
8 5. Howard;
9 6. Montgomery; and
10 7. Prince George's.

11 (ii) 1. [In] EXCEPT FOR CHARLES COUNTY, IN each county other
12 than a county specified in subparagraph (i) of this paragraph, the local board shall
13 establish [at least] one early voting polling place for each primary or general election
14 IN THE COUNTY SEAT.

15 2. IN CHARLES COUNTY, THE EARLY VOTING POLLING
16 PLACE SHALL BE ESTABLISHED IN WALDORF.

17 (III) EARLY VOTING POLLING PLACES SHALL BE ESTABLISHED AT
18 THE LOCATIONS SPECIFIED IN THIS SUBPARAGRAPH FOR THE FOLLOWING
19 COUNTIES:

- 20 1. ANNE ARUNDEL COUNTY:
21 A. BROOKLYN PARK SENIOR CENTER
22 202 HAMMONDS LANE
23 BALTIMORE, MD 21225;
24 B. WEST COUNTY LIBRARY
25 1325 ANNAPOLIS ROAD
26 ODENTON, MD 21114; AND
27 C. AMERICAN LEGION POST #141
28 1707 FOREST DRIVE
29 ANNAPOLIS, MD 21401;
30 2. BALTIMORE CITY:
31 A. MORGAN STATE UNIVERSITY
32 1700 E. COLD SPRING LANE
33 BALTIMORE, MD 21251;

34 C. SAVAGE BRANCH LIBRARY
35 9525 DURNESSE LANE
36 LAUREL, MD 20723;

1 6. MONTGOMERY COUNTY:

2 A. GERMANTOWN PUBLIC LIBRARY
3 12900 MIDDLEBROOK ROAD
4 GERMANTOWN, MD 20874;

5 B. SILVER SPRING PUBLIC LIBRARY
6 8901 COLESVILLE ROAD
7 SILVER SPRING, MD 20910; AND

8 C. ROCKVILLE CITY HALL
9 111 MARYLAND AVENUE
10 ROCKVILLE, MD 20850; AND

11 7. PRINCE GEORGE'S COUNTY:

12 A. UPPER MARLBORO LIBRARY
13 14730 MAIN STREET
14 UPPER MARLBORO, MD 20772.

15 B. HARMONY HALL REGIONAL CENTER
16 10701 LIVINGSTON ROAD
17 FORT WASHINGTON, MD 20744; AND

18 C. HYATTSVILLE PUBLIC LIBRARY
19 6530 ADELPHI ROAD
20 HYATTSVILLE, MD 20872.

21 (3) IF THE STATE ADMINISTRATOR DETERMINES, OR A LOCAL
22 ELECTION DIRECTOR NOTIFIES THE STATE ADMINISTRATOR, THAT A SITE
23 SPECIFIED UNDER THIS SUBSECTION CANNOT BE USED TO ACCOMMODATE EARLY
24 VOTING, THE STATE ADMINISTRATOR SHALL SELECT ANOTHER SITE, PROXIMATE TO
25 THE SITE REJECTED, THAT IS ACCESSIBLE TO VOTERS.

26 (4) BEGINNING 30 DAYS PRIOR TO EACH PRIMARY AND GENERAL
27 ELECTION, THE STATE BOARD AND EACH LOCAL BOARD SHALL UNDERTAKE STEPS
28 TO INFORM THE PUBLIC ABOUT EARLY VOTING AND THE LOCATION OF EARLY
29 VOTING POLLING PLACES IN EACH COUNTY, INCLUDING A SERIES OF PUBLIC
30 SERVICE MEDIA ANNOUNCEMENTS, MAILINGS TO ALL REGISTERED VOTERS, AND
31 OTHER EFFORTS.

32 [(3)] (5) Polling places established by a local board under this section
33 shall meet the requirements of § 10-101 of this title.

34 10-302.

35 (A) In a timely manner for each election, the local board shall provide for the
36 delivery to each polling place the supplies, records, and equipment necessary for the
37 conduct of the election.

1 (B) (1) EACH POLLING PLACE SHALL BE EQUIPPED WITH A COMPUTER
2 DEVICE THAT CONTAINS A RECORD OF ALL REGISTERED VOTERS IN THE COUNTY
3 AND THAT IS CAPABLE OF BEING NETWORKED TO OTHER POLLING PLACE
4 COMPUTER DEVICES.

5 (2) THE STATE ADMINISTRATOR SHALL ENSURE THAT A SITE SELECTED
6 FOR EARLY VOTING HAS ADEQUATE INFRASTRUCTURE TO ACCOMMODATE THE
7 COMPUTER DEVICES REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
9 read as follows:

10 **Article - Election Law**

11 2-103.

12 (a) There is a State Administrator of Elections.

13 (b) The State Administrator shall:

14 (1) be appointed by the State Board, with the advice and consent of the
15 Senate of Maryland, and serve at the pleasure of the State Board;

16 (2) receive a salary as provided in the State budget;

17 (3) as provided in the State budget, employ and supervise:

18 (i) a deputy administrator, who shall serve as State Administrator
19 in the event the State Administrator resigns, becomes disabled, or dies, pending the
20 appointment of a successor State Administrator; and

21 (ii) pursuant to the State Personnel and Pensions Article, other staff
22 of the State Board;

23 (4) supervise the operations of the local boards AND, IN ACCORDANCE
24 WITH SUBSECTION (C) OF THIS SECTION, INITIATE A LEGAL ACTION TO ENJOIN THE
25 ACTIONS OF A LOCAL BOARD OR THE ELECTION DIRECTOR OF A LOCAL BOARD;

26 (5) perform all duties and exercise all powers that are assigned by law to
27 the State Administrator or delegated by the State Board;

28 (6) implement, in a uniform and nondiscriminatory manner, a single,
29 uniform, official, centralized, interactive computerized statewide voter registration list;

30 (7) provided the State Board is fully constituted with five duly confirmed
31 members, be subject to removal by the affirmative vote of four duly confirmed members
32 of the State Board for incompetence, misconduct, or other good cause except that:

1 (i) prior to removal, the State Board shall set forth written charges
2 stating the grounds for dismissal and afford the State Administrator notice and an
3 ample opportunity to be heard; and

4 (ii) subsequent to a valid vote for removal by at least four duly
5 confirmed members of the State Board, the State Administrator is authorized to
6 continue to serve until a successor is appointed and confirmed by the Senate of
7 Maryland; and

8 (8) be the chief State election official.

9 (C) (1) THE STATE ADMINISTRATOR MAY FILE SUIT IN A COURT OF
10 COMPETENT JURISDICTION TO ENJOIN A LOCAL BOARD OR ITS ELECTION DIRECTOR
11 FROM VIOLATING ANY PROVISION OF THIS ARTICLE OR OF A REGULATION,
12 GUIDELINE, OR PROCEDURE ADOPTED UNDER THIS ARTICLE.

13 (2) A REGISTERED VOTER OR AN APPLICANT FOR VOTER REGISTRATION
14 MAY PETITION THE STATE ADMINISTRATOR TO FILE A SUIT UNDER PARAGRAPH (1)
15 OF THIS SUBSECTION.

16 (3) A VOTER OR APPLICANT WHO HAS PETITIONED UNDER PARAGRAPH
17 (2) OF THIS SUBSECTION MAY FILE THE SUIT FOR INJUNCTIVE RELIEF IF THE STATE
18 ADMINISTRATOR DECLINES OR FAILS TO FILE SUIT:

19 (I) WITHIN 10 BUSINESS DAYS AFTER THE PETITION IS
20 SUBMITTED; OR

21 (II) DURING THE PERIOD THAT IS LESS THAN 20 DAYS BEFORE AN
22 ELECTION, WITHIN 3 BUSINESS DAYS AFTER THE PETITION IS SUBMITTED.

23 [(c)] (D) Before taking office, the appointee to the office of State Administrator
24 shall take the oath required by Article I, § 9 of the Maryland Constitution.

25 2-202.1.

26 (A) EACH LOCAL BOARD SHALL ADOPT REGULATIONS RELATING TO:

27 (1) PROCEDURES TO BE FOLLOWED BY THE BOARD UNDER § 3-301 OF
28 THIS ARTICLE IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO BECOME
29 A REGISTERED VOTER; AND

30 (2) PROCEDURES TO BE FOLLOWED BY THE BOARD IN ADMINISTERING
31 TITLE 3, SUBTITLE 3 OF THIS ARTICLE, INCLUDING:

32 (I) PROCEDURES AND TIMETABLES FOR OBTAINING, RECEIVING,
33 AND PROCESSING INFORMATION ABOUT VOTERS' CHANGES OF ADDRESS OR
34 CHANGES IN ELIGIBILITY STATUS; AND

35 (II) PROCEDURES AND TIMETABLES FOR REMOVING VOTERS FROM
36 THE VOTER REGISTRY.

1 (B) NOTWITHSTANDING § 2-202 OF THIS SUBTITLE, BEFORE A LOCAL BOARD,
2 OR AN EMPLOYEE OF THE BOARD, ALTERS PRECINCT BOUNDARIES OR ALTERS THE
3 LOCATION OF A POLLING PLACE, THE LOCAL BOARD SHALL:

4 (1) ISSUE PUBLIC NOTICE OF THE PROPOSED ALTERATION AT LEAST 90
5 DAYS BEFORE THE DATE OF THE ELECTION TO WHICH THE ALTERATION WOULD
6 APPLY;

7 (2) ACCEPT PUBLIC COMMENTS ON THE PROPOSED ALTERATION;

8 (3) SUBMIT THE PROPOSED ALTERATION, AND ANY COMMENTS
9 RECEIVED, TO THE STATE ADMINISTRATOR FOR THE STATE ADMINISTRATOR'S
10 REVIEW; AND

11 (4) RECEIVE THE APPROVAL OF THE STATE ADMINISTRATOR.

12 2-206.

13 (A) Subject to the requirements of this article and the policies and guidance of
14 the local board, the election director [may]:

15 (1) MAY appoint the employees of the local board;

16 (2) MAY train judges of election;

17 (3) MAY give notice of elections;

18 (4) MAY, upon the request of an elderly or disabled voter whose polling
19 place is not structurally barrier free, provide an alternate polling place to the voter;

20 (5) MAY issue voter acknowledgment notices and voter notification cards;

21 (6) MAY receive certificates of candidacy;

22 (7) MAY verify nominating petitions;

23 (8) MAY receive and maintain campaign finance reports;

24 (9) MAY, in consultation with the local board, conduct the canvass
25 following an election; [and]

26 (10) subject to § 9-306 of this article, MAY process and reject absentee
27 ballot applications;

28 (11) SHALL PUBLISH ON AN INTERNET WEBSITE, NOT LATER THAN 30
29 DAYS BEFORE THE CLOSE OF REGISTRATION PRIOR TO AN ELECTION, A LIST OF ANY
30 PROPOSED DELETIONS OF REGISTRANTS FROM THE VOTER REGISTRY; AND

31 (12) SHALL ENSURE THAT THERE IS AT LEAST ONE WORKING VOTING
32 MACHINE OR DEVICE FOR EVERY 200 REGISTERED VOTERS AT EACH POLLING PLACE.

1 (B) THE ELECTION DIRECTOR SHALL MAKE REGULAR PUBLIC REPORTS, ON A
2 SCHEDULE DETERMINED BY THE STATE ADMINISTRATOR, REGARDING:

3 (1) THE NUMBER AND TYPES OF VOTER REGISTRATION APPLICATIONS
4 RECEIVED;

5 (2) THE NUMBER OF VOTER REGISTRATION APPLICATIONS ACCEPTED
6 AND REJECTED; AND

7 (3) THE REASONS THE APPLICATIONS WERE REJECTED.

8 2-301.

9 (a) This section applies to:

10 (1) a member of the State Board;

11 (2) a regular or substitute member of a local board;

12 (3) the State Administrator;

13 (4) an employee of the State Board or of a local board, including the
14 election director of a board;

15 (5) counsel appointed under § 2-205 of this title; and

16 (6) an election judge.

17 (b) (1) An individual subject to this section may not, while holding the
18 position:

19 (i) hold or be a candidate for any elective public or political party
20 office or any other office created under the Constitution or laws of this State;

21 (ii) use the individual's official authority for the purpose of
22 influencing or affecting the result of an election; or

23 (iii) except as provided in paragraph (2) of this subsection, as to any
24 candidate or any matter that is subject to an election under this article:

25 1. be a campaign manager;

26 2. be a treasurer or subtreasurer for a campaign finance
27 entity; or

28 3. take any other active part in political management or a
29 political campaign.

30 (2) Notwithstanding paragraph (1)(iii) of this subsection, an election
31 judge may engage in the activities of a political campaign, except:

1 (i) while performing official duties on election day; and

2 (ii) by serving as a campaign manager for a candidate or as the
3 treasurer for a campaign finance entity.

4 (C) IF THE STATE ADMINISTRATOR DETERMINES THAT AN INDIVIDUAL IS IN
5 VIOLATION OF THIS SECTION, THE STATE ADMINISTRATOR:

6 (1) SHALL SUSPEND THE INDIVIDUAL FROM DUTY UNTIL THE
7 COMPLETION OF THE NEXT ELECTION; AND

8 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, MAY MAKE AN
9 INTERIM APPOINTMENT TO ENSURE THE ORDERLY ADMINISTRATION OF THIS
10 ARTICLE.

11 3-501.

12 (A) An election director may remove a voter from the statewide voter
13 registration list only:

14 (1) at the request of the voter, provided the request is:

15 (i) signed by the voter;

16 (ii) authenticated by the election director; and

17 (iii) in a format acceptable to the State Board or on a cancellation
18 notice provided by the voter on a voter registration application;

19 (2) upon determining, based on information provided pursuant to §
20 3-503 of this subtitle, that the voter is no longer eligible because:

21 (i) the voter is not qualified to be a registered voter as provided in §
22 3-102(b) of this title; or

23 (ii) the voter is deceased; or

24 (3) if the voter has moved outside the State, as determined by conducting
25 the procedures established in § 3-502 of this subtitle.

26 (B) AN ELECTION DIRECTOR MAY NOT REMOVE A VOTER FROM THE LIST IN
27 ACCORDANCE WITH SUBSECTION (A)(2) OR (3) OF THIS SECTION DURING THE PERIOD
28 THAT:

29 (1) BEGINS 30 DAYS BEFORE THE CLOSE OF REGISTRATION BEFORE AN
30 ELECTION; AND

31 (2) ENDS AT THE CLOSE OF THE POLLS ON THE DAY OF THE ELECTION.

32 SECTION ~~2~~. 3. AND BE IT FURTHER ENACTED, That the State
33 Administrator of Elections and the Office of the Attorney General shall:

1 (1) review the efficacy of, and any legal impediments to, implementing a
2 system of election day voter registration that would allow eligible unregistered voters,
3 commencing with the 2008 primary election, to register and then vote on election day;

4 (2) (i) consult with local election officials in Maryland to ascertain the
5 impact and assess any administrative challenges associated with implementing a
6 statewide system of election day voter registration in this State; and

7 (ii) query election officials in any other states around the country
8 that have implemented statewide election day voter registration about their
9 experiences with such a system;

10 (3) note any legal impediments to implementing a statewide system of
11 election day voter registration and identify any changes to State statutory or
12 constitutional law that would be required to implement such a system;

13 (4) estimate the additional cost to the State and to the counties to
14 implement a system of election day voter registration; and

15 (5) on or before December 31, 2006, submit a report of its findings and
16 recommendations to the Governor, and, in accordance with § 2-1246 of the State
17 Government Article, to the General Assembly.

18 ~~SECTION 3. AND BE IT FURTHER ENACTED, That the Governor shall~~
19 ~~allocate the resources required to implement the requirements of this Act, including~~
20 ~~any gift received by the State for the purposes of this Act under § 2-201 of the State~~
21 ~~Finance and Procurement Article, and except for federal funds received by the State~~
22 ~~to implement the requirements of the Help America Vote Act of 2002, any federal or~~
23 ~~other special funds or grant received by the State in accordance with federal and~~
24 ~~State law for the purposes of this Act.~~

25 ~~SECTION 4. AND BE IT FURTHER ENACTED, That in fiscal year 2008, the~~
26 ~~Governor shall appropriate sufficient funds to reimburse each county at a rate of 50%~~
27 ~~of the total expenditures made during fiscal year 2007 to implement early voting,~~
28 ~~including expenditures made for the purchase of electronic poll books.~~

29 ~~SECTION 4. AND BE IT FURTHER ENACTED, That the regulations required~~
30 ~~to be adopted by a local board of elections under § 2-202.1(a) of the Election Law~~
31 ~~Article, as enacted by Section 2 of this Act, must be submitted to, reviewed by, and~~
32 ~~approved by the State Administrator of Elections before the local board:~~

33 (1) denies any application for registration on or after the effective date of
34 this Act; or

35 (2) removes any voter from the registration list on or after the effective
36 date of this Act.

37 SECTION 5. AND BE IT FURTHER ENACTED, That Sections 2 and 4 of this
38 Act shall apply only to jurisdictions of the State in which, based on data from the 2000
39 Decennial Census:

1 (1) *less than 60 percent of the population lives in owner-occupied*
2 *dwellings; and*

3 (2) *the median income is less than \$40,000 per year.*

4 *SECTION 6. AND BE IT FURTHER ENACTED, That the Governor shall*
5 *include each year in the State budget sufficient State general funds to implement the*
6 *requirements of § 10-302(b) of the Election Law Article.*

7 *SECTION 7. AND BE IT FURTHER ENACTED, That Sections 2, 4, and 5 of*
8 *this Act shall remain effective until the end of June 30, 2008 and, at the end of June*
9 *30, 2008, with no further action required by the General Assembly, Sections 2, 4, and*
10 *5 of this Act shall be abrogated and of no further force and effect.*

11 SECTION 4, ~~5, 8.~~ AND BE IT FURTHER ENACTED, That this Act ~~shall take~~
12 ~~effect June 1, 2006~~ is an emergency measure, is necessary for the immediate
13 preservation of the public health or safety, has been passed by a yea and nay vote
14 supported by three-fifths of all the members elected to each of the two Houses of the
15 General Assembly, and shall take effect from the date it is enacted.