

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  
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

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

32 BY repealing and reenacting, with amendments,  
 33 Article - Election Law  
 34 ~~Section 2-303(a) and 10-302~~  
 35 Section 2-102, 2-103, 2-202(b), 2-206, 2-301, 2-303(a), 3-501, and 10-302  
 36 Annotated Code of Maryland  
 37 (2003 Volume and 2005 Supplement)

38 BY repealing and reenacting, with amendments,  
 39 Article - Election Law  
 40 ~~Section 10-301.1(e)(1)~~ 10-301.1(b) and (c)  
 41 Annotated Code of Maryland  
 42 (2003 Volume and 2005 Supplement)  
 43 (As enacted by Chapter 5 of the Acts of the General Assembly of 2006)

44 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           (9)   (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;

- 1 *B. COPPIN STATE UNIVERSITY*  
2 *2500 NORTH AVENUE*  
3 *BALTIMORE, MD 21216; AND*
- 4 *C. DU BURNS RECREATION CENTER*  
5 *1301 S. ELLWOOD AVENUE*  
6 *BALTIMORE, MD 21224;*
- 7 *3. BALTIMORE COUNTY;*
- 8 *A. RANDALLSTOWN LIBRARY*  
9 *8604 LIBERTY ROAD*  
10 *RANDALLSTOWN, MD 21133;*
- 11 *B. TOWSON UNIVERSITY*  
12 *8000 YORK ROAD*  
13 *TOWSON, MD 21252; AND*
- 14 *C. ESSEX LIBRARY*  
15 *1110 EASTERN BOULEVARD*  
16 *ESSEX, MD 21221;*
- 17 *4. HARFORD COUNTY;*
- 18 *A. ABERDEEN BRANCH LIBRARY*  
19 *21 FRANKLIN STREET*  
20 *ABERDEEN, MD 21001;*
- 21 *B. HARFORD COUNTY GOVERNMENT BUILDING*  
22 *212 SOUTH BOND STREET*  
23 *BEL AIR, MD 21014; AND*
- 24 *C. JOPPA BRANCH LIBRARY*  
25 *655 TOWNE CENTER DRIVE*  
26 *JOPPA, MD 21085;*
- 27 *5. HOWARD COUNTY;*
- 28 *A. EAST COLUMBIA LIBRARY (OWEN BROWN)*  
29 *6600 CRADLEROCK WAY*  
30 *COLUMBIA, MD 21045;*
- 31 *B. MILLER BRANCH LIBRARY*  
32 *9421 FREDERICK ROAD*  
33 *ELLCOTT CITY, MD 21042; AND*
- 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 ye 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.