

~~may establish the individual's identity by presenting certain forms of identification;~~ establishing a civil penalty for certain violations; requiring the State Board of Elections to review its policies and procedures governing the administration of elections for certain purposes and to submit a report of its findings and recommendations to the Governor and to the General Assembly by a certain date; and generally relating to the ~~Voter~~ Voters Rights Protection Act of 2005.

BY repealing and reenacting, with amendments,

Article - Election Law

Section ~~9-404~~, 10-312, 11-303, and 16-201

Annotated Code of Maryland

(2003 Volume and 2004 Supplement)

BY adding to

Article - Election Law

Section 16-903 and 16-1002

Annotated Code of Maryland

(2003 Volume and 2004 Supplement)

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

Article - Election Law

~~9-404.~~

~~(a) If an individual is eligible under subsection (b) of this section, the individual shall be issued and may cast a provisional ballot:~~

~~(1) at a polling place on election day; or~~

~~(2) at the local board office in the county where the individual resides after the close of registration and before the closing of the polls on election day.~~

~~(b) An individual is eligible to cast a provisional ballot if:~~

~~(1) the individual declares in a written affirmation submitted with the provisional ballot that the individual is a registered voter in the State and is eligible to vote in that election; and~~

~~(2) (i) the individual's name does not appear on the precinct register;~~

~~(ii) an election official asserts that the individual is not eligible to vote; or~~

~~(iii) the individual does not have the necessary identification.~~

~~(c) A LOCAL BOARD SHALL COUNT THE VOTE CAST BY A VOTER FOR EACH CANDIDATE OR QUESTION APPLICABLE TO THE PRECINCT IN WHICH THE VOTER IS DETERMINED TO BE REGISTERED, IF:~~