

In subsection (b) of this section, the reference to being "guilty of a misdemeanor" is added to state expressly that which only was implied in the former law. In this State, any crime that was not a felony at common law and has not been declared a felony by statute is considered to be a misdemeanor. See *State v. Canova*, 278 Md. 483, 490 (1976), *Bowser v. State*, 136 Md. 342, 345 (1920), *Williams v. State*, 4 Md. App. 342, 347 (1968), and *Dutton v. State*, 123 Md. 373, 378 (1914).

In subsection (c) of this section, the reference to a violation being "subject to § 5-106(b) of the Courts Article" is substituted for the former reference to the violation subjecting the defendant to imprisonment "in the penitentiary", for clarity and consistency with the Criminal Law Article. See General Revisor's Note to the Criminal Law Article.

Defined terms: "Candidate" § 1-101

"Election" § 1-101

"Precinct" § 1-101

16-202.

(a) A person who has been convicted of an infamous crime, and has been rendered ineligible to vote pursuant to § 3-102(b) of this article, may not vote or attempt to vote during the time that the person is rendered ineligible to vote.

(b) A person who violates this section is guilty of a felony and is subject to imprisonment [in the penitentiary] for not less than 1 year nor more than 5 years.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 33, § 16-202.

In subsection (b) of this section, the former reference to imprisonment "in the penitentiary" is deleted as obsolete in light of CS § 9-103, which states that notwithstanding any law requiring imprisonment to be served at a specific State correctional institution, persons are to be sentenced to the jurisdiction of the Division of Correction.

16-203.

(a) A person may not willfully disobey the lawful command of an election official at a polling place on election day.

(b) A person who violates this section shall be guilty of a misdemeanor and shall be subject to a fine of not less than \$10 nor more than \$250 or imprisonment for not less than 30 days nor more than 6 months or both.

REVISOR'S NOTE: This section formerly was Art. 33, § 16-203.

No changes are made.

16-204.

(a) A person may not hinder or impede the conduct of official electoral activities by: