

(b) A person who violates this section is subject to a fine of not less than \$50 nor more than \$1,000 or imprisonment for not less than 30 days nor more than 3 years or both.

REVISOR'S NOTE: This section formerly was Art. 33, § 16-301.

No changes are made.

16-302.

(a) A person may not fraudulently tamper with election records of any kind, whether on paper or in any other medium.

(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, § 16-302.

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.

16-303.

(a) An election judge, while performing official duties at a polling place, may not willfully and knowingly:

(1) Interfere in any way with the casting of a vote by a person who the election judge knows is lawfully entitled to vote at an election;

(2) Fail to challenge a person who the election judge has reason to believe is not entitled to vote;

(3) Refuse to follow the instructions of the election director with respect to the qualification of voters, the use of voting equipment, or the casting of votes; or

(4) Obstruct the view at any time of any person, lawfully present in the polling place, who wishes to see the ballot box or voting equipment used during an election.

(b) An election judge who violates this section is GUILTY OF A MISDEMEANOR AND subject to imprisonment [in the penitentiary] for not less than 3 months nor more than 2 years.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 33, § 16-303.

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