

Subtitle 6. Canvassing.

16-601.

(a) An election judge or other election official may not willfully and knowingly:

(1) Make, sign, publish, or deliver a false certificate or statement of the result of the election or any other false report of any kind; or

(2) Deface, destroy, or conceal any statement, tally, certificate, or other document entrusted to the official's care and custody.

(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 10 years.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 33, § 16-601.

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.

Defined term: "Election" § 1-101

Subtitle 7. Election Records and Documents.

16-701.

(a) A person with custody of election records may not willfully and knowingly:

(1) Destroy, deface, falsify, remove, or conceal any record related to voting;

(2) Make a fraudulent entry or alteration, or permit another person to make a fraudulent entry or alteration, of any record related to voting; or

(3) Allow any other person to do the acts prohibited in items (1) and (2) of this subsection.

(b) Any person who does not have custody over election items may not:

(1) Do an act prohibited by subsection (a) of this section; or

(2) Advise, procure, or abet the commission of an act prohibited by subsection (a) of this section.

(c) This section does not apply to the disposition of obsolete records in the ordinary course of the operation of the State Board or a local board.

(d) Each violation of this section is a separate offense.

(e) 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 10 years.