

# SENATE BILL 449

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By: **Senators Pinsky, Augustine, Carter, Ellis, Feldman, Ferguson, Guzzone, Kagan, King, Klausmeier, Lam, Lee, Miller, Peters, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 11, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Election Law – ~~Election Day Voter~~ Registration and Voting at Precinct Polling**  
3 **Places**

4 FOR the purpose of providing an exception to the voter registration deadline to allow an  
5 individual to appear at a ~~certain~~ precinct polling place ~~to~~ in the individual's county  
6 of residence and apply to register to vote ~~or change the voter's address on an existing~~  
7 ~~voter registration~~; requiring a ~~certain~~ an applicant for a voter registration on election  
8 day to provide proof of residency; specifying the acceptable forms of proof of  
9 residency; requiring an election judge to ~~verify that a certain applicant's residence~~  
10 ~~address is assigned to a certain precinct and to determine whether a certain~~  
11 ~~individual~~ determine whether an applicant for voter registration resides in the  
12 precinct and is qualified to become a registered voter; requiring an election judge to  
13 process certain applicants for voter registration in a certain manner; ~~requiring an~~  
14 ~~election judge to issue a certain voter a provisional ballot under certain~~  
15 ~~circumstances~~; requiring the State Board of Elections to take ~~certain~~ appropriate  
16 measures to notify potential registrants of the correct precinct polling place for the  
17 potential registrants' residence addresses except under certain circumstances;  
18 requiring an election judge to notify certain individuals of the correct precinct for the  
19 voter's residence address; ~~requiring an election judge to verify that a voter's new~~  
20 ~~residence address is assigned to the precinct under certain circumstances~~; ~~requiring~~  
21 ~~an election judge to process certain voters who apply to change their address in a~~  
22 ~~certain manner~~; requiring the State Board of Elections to adopt regulations and  
23 procedures in accordance with the requirements of certain provisions of this Act for

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 the administration of voter registration on election day; and generally relating to  
 2 ~~election day voter registration~~ registration and voting at precinct polling places.

3 BY repealing and reenacting, with amendments,  
 4 Article – Election Law  
 5 Section 3–302  
 6 Annotated Code of Maryland  
 7 (2017 Replacement Volume and 2018 Supplement)

8 BY adding to  
 9 Article – Election Law  
 10 Section 3–306  
 11 Annotated Code of Maryland  
 12 (2017 Replacement Volume and 2018 Supplement)

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

15 **Article – Election Law**

16 3–302.

17 (a) Except as provided under [§ 3–305] **§§ 3–305 AND 3–306** of this subtitle,  
 18 registration is closed beginning at 9 p.m. on the 21st day preceding an election until the  
 19 11th day after that election.

20 (b) A voter registration application received when registration is closed shall be  
 21 accepted and retained by a local board, but the registration of the applicant does not become  
 22 effective until registration reopens.

23 (c) A voter registration application that is received by the local board after the  
 24 close of registration shall be considered timely received for the next election provided:

25 (1) there is sufficient evidence, as determined by the local board pursuant  
 26 to regulations adopted by the State Board, that the application was mailed on or before  
 27 registration was closed for that election; or

28 (2) the application was submitted by the voter to the Motor Vehicle  
 29 Administration, a voter registration agency, another local board, or the State Board prior  
 30 to the close of registration.

31 **3–306.**

32 (A) ON ELECTION DAY, AN INDIVIDUAL MAY APPEAR AT ~~THE~~ A PRECINCT  
 33 POLLING PLACE IN THE INDIVIDUAL'S COUNTY OF RESIDENCE ~~THAT THE LOCAL~~

1 ~~BOARD HAS ASSIGNED AS THE PRECINCT FOR THE INDIVIDUAL'S RESIDENCE~~  
2 ~~ADDRESS TO:~~

3 ~~(1) AND APPLY TO REGISTER TO VOTE; OR~~

4 ~~(2) CHANGE THE VOTER'S ADDRESS ON AN EXISTING VOTER~~  
5 ~~REGISTRATION.~~

6 (B) (1) WHEN APPLYING TO REGISTER TO VOTE ON ELECTION DAY, THE  
7 APPLICANT SHALL PROVIDE PROOF OF RESIDENCY.

8 (2) THE APPLICANT SHALL PROVE RESIDENCY BY SHOWING THE  
9 ELECTION JUDGE:

10 (I) A MARYLAND DRIVER'S LICENSE OR MARYLAND  
11 IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS; OR

12 (II) IF THE APPLICANT DOES NOT HAVE A DRIVER'S LICENSE OR  
13 IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS, A  
14 COPY OF AN OFFICIAL DOCUMENT THAT:

15 1. MEETS THE REQUIREMENTS ESTABLISHED BY THE  
16 STATE BOARD; AND

17 2. CONTAINS THE APPLICANT'S NAME AND CURRENT  
18 ADDRESS.

19 (C) (1) WHEN AN INDIVIDUAL APPLIES TO REGISTER TO VOTE AT THE  
20 PRECINCT POLLING PLACE ~~DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION~~  
21 ON ELECTION DAY, THE ELECTION JUDGE SHALL:

22 ~~(I) VERIFY THE APPLICANT'S RESIDENCE ADDRESS IS~~  
23 ~~ASSIGNED TO THE PRECINCT; AND~~

24 ~~(II) DETERMINE WHETHER THE INDIVIDUAL APPLICANT~~  
25 RESIDES IN THE PRECINCT IN WHICH THE APPLICANT APPLIED AND IS QUALIFIED  
26 TO BECOME A REGISTERED VOTER.

27 (2) ~~AFTER VERIFYING THAT~~ IF THE VOTER IS A RESIDENT OF THE  
28 PRECINCT AND IS QUALIFIED TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:

29 (I) ISSUE THE VOTER A VOTER AUTHORITY CARD;

30 (II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND

1 (III) ISSUE THE VOTER A REGULAR BALLOT.

2 (3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE  
3 PRECINCT, IS QUALIFIED TO REGISTER TO VOTE, AND CHOOSES TO VOTE IN THE  
4 PRECINCT, THE ELECTION JUDGE SHALL ~~ISSUE THE VOTER A PROVISIONAL~~  
5 ~~BALLOT:~~

6 (I) ISSUE THE VOTER A VOTER AUTHORITY CARD;

7 (II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND

8 (III) ISSUE THE VOTER A PROVISIONAL BALLOT.

9 (D) (1) ~~THE~~ UNLESS A LOCAL BOARD ELECTS TO MAKE THE  
10 NOTIFICATION, THE STATE BOARD SHALL TAKE APPROPRIATE MEASURES TO  
11 NOTIFY POTENTIAL REGISTRANTS OF THE CORRECT PRECINCT POLLING PLACE FOR  
12 THE POTENTIAL REGISTRANTS' RESIDENCE ADDRESSES BEFORE EACH ELECTION.

13 (2) THE ELECTION JUDGE SHALL NOTIFY AN INDIVIDUAL WHO  
14 APPLIES TO REGISTER TO VOTE AT THE INCORRECT PRECINCT FOR THE VOTER'S  
15 RESIDENCE ADDRESS OF THE CORRECT PRECINCT FOR THE VOTER'S RESIDENCE  
16 ADDRESS.

17 ~~(E) (1) WHEN A VOTER APPLIES TO CHANGE THE VOTER'S ADDRESS AT~~  
18 ~~THE PRECINCT POLLING PLACE DESCRIBED UNDER SUBSECTION (A) OF THIS~~  
19 ~~SECTION ON ELECTION DAY, THE ELECTION JUDGE SHALL VERIFY THAT THE~~  
20 ~~VOTER'S NEW RESIDENCE ADDRESS IS ASSIGNED TO THE PRECINCT.~~

21 ~~(2) AFTER VERIFYING THAT THE VOTER IS A RESIDENT OF THE~~  
22 ~~PRECINCT, THE ELECTION JUDGE SHALL:~~

23 ~~(I) ISSUE THE VOTER A VOTER AUTHORITY CARD;~~

24 ~~(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD; AND~~

25 ~~(III) ISSUE THE VOTER A REGULAR BALLOT.~~

26 ~~(3) IF THE VOTER IS A RESIDENT OF THE COUNTY BUT NOT THE~~  
27 ~~PRECINCT, THE ELECTION JUDGE SHALL ISSUE THE VOTER A PROVISIONAL BALLOT.~~

28 ~~(F)~~ (E) THE STATE BOARD SHALL ADOPT REGULATIONS AND  
29 PROCEDURES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR  
30 THE ADMINISTRATION OF VOTER REGISTRATION ON ELECTION DAY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.