

SENATE BILL 283

G1, F2

(PRE-FILED)

11r0789
CF HB 156

By: **Senator Elfreth**

Requested: September 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 20, 2021

CHAPTER _____

1 AN ACT concerning

2 **Student and Military Voter Empowerment Act**

3 FOR the purpose of requiring a local board of elections to contact and obtain input from
4 certain large residential institutional communities when establishing precinct
5 boundaries and designating the location of polling places; requiring the State Board
6 of Elections to maintain a page on its website that includes certain information about
7 and links regarding voter registration and voting by students enrolled in institutions
8 of higher education; requiring the State Board to establish a process for an individual
9 to submit a certain federal post card application electronically and use a certain
10 common access card to sign a certain federal post card application; requiring a public
11 institution of higher education to designate a staff member as the student voting
12 coordinator; requiring the student voting coordinator to develop and implement a
13 student voting plan to increase student voter registration and voting in collaboration
14 with certain persons at the institution; requiring the student voting plan to cover a
15 certain period and be updated at a certain time; requiring the student voting plan to
16 include certain elements relating to dissemination of information about voter
17 registration and voting, provision of voter registration materials on campus,
18 ~~accommodation of early voting centers and precinct polling places on campus, and~~
19 collaboration with the local board regarding certain factors, and encouragement of
20 student organizations engaged in voter registration and voting activities, ~~and a~~
21 ~~policy allowing a student to be excused from class or absent from a job with the~~
22 ~~institution for the purpose of voting; prohibiting the student voting plan from being~~
23 used to disseminate certain information regarding certain information; requiring a
24 public institution of higher education to make the student voting plan available to

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 public and provide the plan to the Maryland Higher Education Commission and
2 the State Board; applying the requirement that a public institution of higher
3 education provide a certain link to the online voter registration system from a certain
4 online student portal to private nonprofit institutions of higher education that
5 receive funding from the State; requiring public institutions of higher education and
6 private institutions of higher education that receive funding from the State to
7 relocate a certain link to the online voter registration system and take certain steps
8 if there are fewer than a certain number of clicks on the link in any calendar year;
9 requiring public institutions of higher education to include certain information in a
10 certain report if there were fewer than a certain number of clicks on a certain link to
11 the online voter registration system in the preceding calendar year; requiring certain
12 private nonprofit institutions of higher education that receive funding from the State
13 to submit a certain report to the Maryland Independent College and University
14 Association regarding voter registration on or before a certain date each year;
15 requiring the Maryland Independent College and University Association to submit
16 a certain report summarizing information regarding voter registration at certain
17 private nonprofit institutions of higher education to certain committees of the
18 General Assembly on or before a certain date each year; defining certain terms;
19 making conforming changes; and generally relating to voter registration and voting.

20 BY repealing and reenacting, without amendments,
21 Article – Election Law
22 Section 1–101(a) and 3–204(a)
23 Annotated Code of Maryland
24 (2017 Replacement Volume and 2020 Supplement)

25 BY adding to
26 Article – Election Law
27 Section 1–101(bb–1), 3–103, 3–202.1, 3–204(c), and 3–204.2(f)
28 Annotated Code of Maryland
29 (2017 Replacement Volume and 2020 Supplement)

30 BY repealing and reenacting, with amendments,
31 Article – Election Law
32 Section 1–101(bb–1), 2–303(a), and 3–204(b)
33 Annotated Code of Maryland
34 (2017 Replacement Volume and 2020 Supplement)

35 BY repealing
36 Article – Election Law
37 Section 3–204(c)
38 Annotated Code of Maryland
39 (2017 Replacement Volume and 2020 Supplement)

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

1 **(3) WHEN A LOCAL BOARD IS ESTABLISHING PRECINCT BOUNDARIES**
2 **AND DESIGNATING THE LOCATION OF POLLING PLACES, THE LOCAL BOARD SHALL**
3 **CONTACT AND OBTAIN INPUT FROM LARGE RESIDENTIAL INSTITUTIONAL**
4 **COMMUNITIES INCLUDING INSTITUTIONS OF HIGHER EDUCATION, CONTINUING**
5 **CARE RETIREMENT COMMUNITIES, SENIOR COMMUNITIES, AND MILITARY**
6 **INSTALLATIONS.**

7 **3-103.**

8 **THE STATE BOARD SHALL MAINTAIN A PAGE ON ITS WEBSITE THAT:**

9 **(1) EXPLAINS IN PLAIN, EASILY UNDERSTANDABLE LANGUAGE THE**
10 **REQUIREMENTS FOR STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER**
11 **EDUCATION TO REGISTER TO VOTE IN THE STATE; AND**

12 **(2) INCLUDES LINKS TO INFORMATION REGARDING VOTER**
13 **REGISTRATION REQUIREMENTS AND VOTING BY ABSENTEE BALLOT IN OTHER**
14 **STATES IN WHICH STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER EDUCATION**
15 **MAY RESIDE.**

16 **3-202.1.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
18 **INDICATED.**

19 **(2) "COMMON ACCESS CARD" MEANS THE IDENTIFICATION CARD**
20 **ISSUED BY THE U.S. DEPARTMENT OF DEFENSE TO ACTIVE-DUTY MILITARY**
21 **PERSONNEL, ELIGIBLE RESERVE PERSONNEL, DEPARTMENT OF DEFENSE CIVILIAN**
22 **EMPLOYEES, AND ELIGIBLE DEPARTMENT OF DEFENSE CONTRACTOR PERSONNEL.**

23 **(3) "FEDERAL POST CARD APPLICATION" MEANS THE FORM**
24 **PRESCRIBED UNDER 52 U.S.C. § 20301(B)(2) THAT MAY BE USED BY ABSENT**
25 **UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS TO SIMULTANEOUSLY**
26 **APPLY TO REGISTER TO VOTE AND APPLY FOR AN ABSENTEE BALLOT.**

27 **(B) THE STATE BOARD SHALL ESTABLISH A PROCESS FOR AN INDIVIDUAL**
28 **TO:**

29 **(1) SUBMIT THE FEDERAL POST CARD APPLICATION**
30 **ELECTRONICALLY; AND**

31 **(2) USE A COMMON ACCESS CARD TO SIGN THE FEDERAL POST CARD**
32 **APPLICATION.**

1 3–204.

2 (a) (1) The State Board shall designate public agencies and nongovernmental
3 agencies as voter registration agencies where qualified individuals may apply to register to
4 vote.

5 (2) The State Board shall designate the following offices as voter
6 registration agencies:

7 (i) all offices in the State that provide public assistance;

8 (ii) all offices in the State that provide State–funded programs
9 primarily engaged in providing services to individuals with disabilities;

10 (iii) all public institutions of higher education in the State; and

11 (iv) all one–stop career centers in the Maryland Department of
12 Labor.

13 (3) The State Board and the Secretary of Defense shall jointly develop and
14 implement procedures for persons to apply to register to vote at recruitment offices of the
15 armed forces of the United States, which shall be deemed voter registration agencies.

16 (b) Except for a public institution of higher education in the State, which
17 institution shall comply with the requirements of subsection (c) of this section **AND §**
18 **3–204.2(F) OF THIS SUBTITLE**, each voter registration agency, as provided in subsection
19 (a)(2) and (3) of this section, shall:

20 (1) distribute a voter registration application approved by the State Board
21 or the Federal Election Commission with each application for service or assistance it
22 renders and with each recertification, renewal, or change of address form relating to such
23 service or assistance;

24 (2) provide a document to prospective registrants that includes:

25 (i) the question, “If you are not registered to vote where you live
26 now, would you like to apply to register to vote here today?”;

27 (ii) if the agency provides public assistance, the statement,
28 “Applying to register or declining to register to vote will not affect the amount of assistance
29 that you will be provided by this agency.”;

30 (iii) boxes for the applicant to check to indicate whether the applicant
31 would like to register or declines to register to vote together with the statement (in close
32 proximity to the boxes and in prominent type), “If you do not check either box, you will be
33 considered to have decided not to register to vote at this time.”;

1 (iv) the statement, “If you would like help in filling out the voter
2 registration application form, we will help you. The decision whether to seek or accept help
3 is yours. You may fill out the application form in private.”;

4 (v) the statement, “If you believe that someone has interfered with
5 your right to register or to decline to register to vote, your right to privacy in deciding
6 whether to register or in applying to register to vote, or your right to choose your own
7 political party or other political preference, you may file a complaint with the State Board
8 of Elections.”; and

9 (vi) the address and toll free telephone number of the State Board;

10 (3) provide each applicant who does not decline to register to vote and who
11 accepts assistance the same degree of assistance with regard to completion of the
12 registration application as is provided by the office with regard to the completion of its own
13 applications, unless the applicant refuses such assistance;

14 (4) ensure that each application for service or assistance from the agency
15 and each recertification, renewal, or change of address form relating to the service or
16 assistance may not be completed until the applicant has indicated whether the applicant
17 wishes to register to vote and is informed that if the applicant does not select a political
18 party affiliation, the individual will be designated as not affiliated with a political party
19 and will be unable to vote in a party primary election; and

20 (5) accept the completed voter registration application for transmittal to
21 the appropriate election board.

22 [(c) (1) (i) In this subsection the following words have the meanings
23 indicated.

24 (ii) “Commission” means the Maryland Higher Education
25 Commission.

26 (iii) “Institution of higher education” has the meaning stated in §
27 10–101(h) of the Education Article.

28 (2) (i) On or before July 1, 2017, a public institution of higher education
29 shall provide a link to the online voter registration system on the home page of the online
30 portal used by students to register for course work.

31 (ii) The link to the online voter registration system shall be
32 prominently placed on the home page in a location where it may be easily viewed by
33 students registering for course work.

34 (3) On or before January 1, 2019, and each year thereafter, a public
35 institution of higher education shall submit a report to the Commission that describes:

1 (i) the number of students who are residents of the State and
2 registered for course work in the preceding calendar year at the public institution of higher
3 education and the number of those students who clicked on the link required under
4 paragraph (2) of this subsection; and

5 (ii) any efforts the public institution of higher education plans to
6 make to improve access to voter registration for students at the institution.

7 (4) On or before January 15, 2019, and each year thereafter, the
8 Commission shall compile and summarize the information reported by public institutions
9 of higher education under paragraph (3) of this subsection, in a single report and submit
10 the report to the Senate Education, Health, and Environmental Affairs Committee and the
11 House Committee on Ways and Means, in accordance with § 2-1257 of the State
12 Government Article.]

13 **(C) (1) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL
14 DESIGNATE A STAFF MEMBER AS THE STUDENT VOTING COORDINATOR.**

15 **(2) THE STUDENT VOTING COORDINATOR SHALL DEVELOP AND
16 IMPLEMENT A STUDENT VOTING PLAN TO INCREASE STUDENT VOTER
17 REGISTRATION AND VOTING IN COLLABORATION WITH FACULTY, STAFF,
18 RECOGNIZED STUDENT ORGANIZATIONS, AND OTHER APPROPRIATE
19 STAKEHOLDERS AT THE INSTITUTION.**

20 **(3) THE STUDENT VOTING PLAN SHALL:**

21 **(I) COVER THE 2-YEAR PERIOD IMMEDIATELY PRECEDING
22 EACH STATEWIDE GENERAL ELECTION; AND**

23 **(II) BE UPDATED AFTER EACH STATEWIDE GENERAL ELECTION.**

24 **(4) THE STUDENT VOTING PLAN SHALL INCLUDE:**

25 **(I) WIDE DISSEMINATION OF INFORMATION ABOUT VOTER
26 REGISTRATION AND VOTING OPPORTUNITIES TO ALL STUDENTS, INCLUDING:**

27 **1. THE VOTER REGISTRATION PROCESS AND
28 DEADLINES;**

29 **2. THE PROCESS AND DEADLINES FOR REQUESTING AND
30 RETURNING A BALLOT BY MAIL;**

1 **3. LOCATIONS AND DATES FOR EARLY VOTING AND**
2 **ELECTION DAY VOTING, INCLUDING TRANSPORTATION OPTIONS TO THE VOTING**
3 **LOCATIONS;**

4 **4. INFORMATION ABOUT VOTER REGISTRATION AT**
5 **EARLY VOTING CENTERS UNDER § 3-305 OF THIS TITLE AND VOTER REGISTRATION**
6 **AT PRECINCT POLLING PLACES ON ELECTION DAY UNDER § 3-306 OF THIS TITLE;**
7 **AND**

8 **5. A LINK FROM THE INSTITUTION'S ONLINE STUDENT**
9 **PORTAL TO THE WEBPAGE CONCERNING STUDENT VOTER REGISTRATION AND**
10 **VOTING THAT IS MAINTAINED BY THE STATE BOARD UNDER § 3-103 OF THIS TITLE**
11 **OR A WEBPAGE ON THE STUDENT PORTAL THAT INCLUDES THE SAME INFORMATION**
12 **AS THE WEBPAGE MAINTAINED BY THE STATE BOARD;**

13 **(II) PROVISION OF VOTER REGISTRATION MATERIALS AT**
14 **CENTRAL LOCATIONS AND HIGH-TRAFFIC AREAS ON CAMPUS;**

15 **(III) REASONABLE ACCOMMODATION AND COLLABORATION**
16 **WITH THE LOCAL BOARD REGARDING:**

17 **1. THE PLACEMENT OF AN EARLY VOTING CENTER OR**
18 **PRECINCT POLLING PLACE ON CAMPUS IF REQUESTED BY THE LOCAL BOARD;**

19 **2. PARKING;**

20 **3. CAMPAIGN SIGNS;**

21 **4. VOTER ACCESS TO CAMPUS WITHOUT**
22 **IDENTIFICATION;**

23 **5. POLLING PLACE SPACE REQUIREMENTS IN**
24 **COMPLIANCE WITH STATE BOARD REGULATIONS;**

25 **6. PUBLIC EDUCATION CAMPAIGN;**

26 **7. BALLOT DROP BOX SITING; AND**

27 **8. ANY OTHER FACTORS RELATING TO THE CONDUCT OF**
28 **AN ELECTION;**

29 **(IV) ENCOURAGEMENT AND SUPPORT OF RECOGNIZED STUDENT**
30 **ORGANIZATIONS ENGAGED IN ACTIVITIES TO INCREASE VOTER REGISTRATION AND**
31 **VOTING BY STUDENTS; AND**

1 (V) ~~A POLICY ALLOWING A STUDENT TO BE EXCUSED FROM~~
2 ~~CLASS OR ABSENT FROM A JOB WITH THE INSTITUTION FOR A PERIOD NOT TO~~
3 ~~EXCEED 2 HOURS FOR THE PURPOSE OF VOTING ON ELECTION DAY, IF THE STUDENT~~
4 ~~DOES NOT HAVE 2 HOURS OF CONTINUOUS TIME OUT OF CLASS OR OFF FROM A JOB~~
5 ~~WITH THE INSTITUTION DURING THE TIME THE POLLS ARE OPEN ON ELECTION DAY;~~
6 ~~AND~~

7 ~~(VI)~~ ANY OTHER ACTIVITIES TO PROMOTE STUDENT
8 PARTICIPATION IN CIVIC AFFAIRS AND THE ELECTION PROCESS THAT THE
9 INSTITUTION DETERMINES ARE APPROPRIATE.

10 (5) THE STUDENT VOTING PLAN MAY NOT BE USED TO DISSEMINATE
11 INFORMATION REGARDING:

12 (I) HOW A STUDENT SHOULD VOTE; OR

13 (II) WHO A STUDENT SHOULD VOTE FOR.

14 ~~(5)~~ (6) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL:

15 (I) MAKE THE INSTITUTION'S STUDENT VOTING PLAN
16 AVAILABLE TO THE PUBLIC ON THE INSTITUTION'S WEBSITE; AND

17 (II) PROVIDE THE INSTITUTION'S STUDENT VOTING PLAN TO
18 THE MARYLAND HIGHER EDUCATION COMMISSION AND THE STATE BOARD.

19 3-204.2.

20 (F) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE
21 MEANINGS INDICATED.

22 (II) "ASSOCIATION" MEANS THE MARYLAND INDEPENDENT
23 COLLEGE AND UNIVERSITY ASSOCIATION.

24 (III) "COMMISSION" MEANS THE MARYLAND HIGHER
25 EDUCATION COMMISSION.

26 (2) (I) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION AND
27 EACH PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION THAT RECEIVES
28 OPERATING OR CAPITAL FUNDING FROM THE STATE SHALL PROVIDE A LINK TO THE
29 ONLINE VOTER REGISTRATION SYSTEM ON THE HOME PAGE OF THE ONLINE PORTAL
30 USED BY STUDENTS TO REGISTER FOR COURSE WORK.

1 **(II) THE LINK TO THE ONLINE VOTER REGISTRATION SYSTEM**
2 **SHALL BE PROMINENTLY PLACED ON THE HOME PAGE IN A LOCATION WHERE IT MAY**
3 **BE EASILY VIEWED BY STUDENTS REGISTERING FOR COURSE WORK.**

4 **(III) IF THERE ARE FEWER THAN 15 CLICKS ON THE LINK IN ANY**
5 **CALENDAR YEAR, THE INSTITUTION OF HIGHER EDUCATION SHALL RELOCATE THE**
6 **LINK TO A DIFFERENT, MORE CONSPICUOUS LOCATION FOR THE IMMEDIATELY**
7 **FOLLOWING CALENDAR YEAR AND TAKE ANY OTHER APPROPRIATE STEPS TO**
8 **ENCOURAGE STUDENTS TO USE THE LINK.**

9 **(3) (I) ON OR BEFORE JANUARY 1 EACH YEAR, EACH PUBLIC**
10 **INSTITUTION OF HIGHER EDUCATION SHALL SUBMIT A REPORT TO THE**
11 **COMMISSION THAT INCLUDES:**

12 1. **THE NUMBER OF INDIVIDUALS WHO CLICKED ON THE**
13 **LINK REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE IMMEDIATELY**
14 **PRECEDING CALENDAR YEAR;**

15 2. **IF THERE WERE FEWER THAN 15 CLICKS ON THE LINK**
16 **REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE IMMEDIATELY**
17 **PRECEDING CALENDAR YEAR A DESCRIPTION OF ANY APPROPRIATE STEPS THE**
18 **INSTITUTION IS TAKING TO ENCOURAGE STUDENTS TO USE THE LINK; AND**

19 3. **ANY EFFORTS THE PUBLIC INSTITUTION OF HIGHER**
20 **EDUCATION PLANS TO MAKE TO IMPROVE ACCESS TO VOTER REGISTRATION FOR**
21 **STUDENTS AT THE INSTITUTION.**

22 **(II) ON OR BEFORE JANUARY 15 EACH YEAR, THE COMMISSION**
23 **SHALL COMPILE AND SUMMARIZE THE INFORMATION REPORTED BY PUBLIC**
24 **INSTITUTIONS OF HIGHER EDUCATION UNDER SUBPARAGRAPH (I) OF THIS**
25 **PARAGRAPH IN A SINGLE REPORT AND SUBMIT THE REPORT TO THE SENATE**
26 **EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE**
27 **HOUSE COMMITTEE ON WAYS AND MEANS IN ACCORDANCE WITH § 2-1257 OF THE**
28 **STATE GOVERNMENT ARTICLE.**

29 **(4) (I) ON OR BEFORE JANUARY 1 EACH YEAR, EACH PRIVATE**
30 **NONPROFIT INSTITUTION OF HIGHER EDUCATION THAT RECEIVES OPERATING OR**
31 **CAPITAL FUNDING FROM THE STATE AND IS A MEMBER OF THE ASSOCIATION SHALL**
32 **SUBMIT A REPORT TO THE ASSOCIATION THAT INCLUDES:**

33 1. **THE NUMBER OF INDIVIDUALS WHO CLICKED ON THE**
34 **LINK REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE IMMEDIATELY**
35 **PRECEDING CALENDAR YEAR;**

1 **2. IF THERE WERE FEWER THAN 15 CLICKS ON THE LINK**
2 **REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN THE IMMEDIATELY**
3 **PRECEDING CALENDAR YEAR, A DESCRIPTION OF ANY APPROPRIATE STEPS THE**
4 **INSTITUTION IS TAKING TO ENCOURAGE STUDENTS TO USE THE LINK; AND**

5 **3. ANY EFFORTS THE PRIVATE NONPROFIT INSTITUTION**
6 **OF HIGHER EDUCATION PLANS TO MAKE TO IMPROVE ACCESS TO VOTER**
7 **REGISTRATION FOR STUDENTS AT THE INSTITUTION.**

8 **(II) ON OR BEFORE JANUARY 15 EACH YEAR, THE ASSOCIATION**
9 **SHALL COMPILE AND SUMMARIZE THE INFORMATION REPORTED BY ITS MEMBERS**
10 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN A SINGLE REPORT AND SUBMIT**
11 **THE REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL**
12 **AFFAIRS COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS IN**
13 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
15 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.