

A005-0405

10 AN ACT CONCERNING

20 **Election Law – Voter Registration and Voting – Proof of Citizenship Requirements**

30 **FOR** the purposes of requiring that applicants for voter registration submit proof of United States
40 citizenship; specifying the types of documents that an applicant may submit to verify United
50 States citizenship; requiring an election judge to request an individual’s voter registration card to
60 qualify an individual to vote, and then verifying that information corresponds to the precinct voter
70 registry; and generally relating to requirements regarding the establishment of an individual’s
80 citizen in order to qualify that individual for voter registration and voting.

90 **BY** repealing and reenacting, without amendments

100 Article – Election Law

110 Section 3-102(a)(1)

120 Annotated Code of Maryland

130 **BY** repealing and reenacting, with amendments

140 Article – Election Law

150 Section 3-201 and 10-310(a)(3)

160 Annotated Code of Maryland

170 **SECTION 1.** BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the
180 Laws of Maryland read as follows:

190 **§ 3-102. Qualifications for voter registration.**

200 (a) In general. - Except as provided in subsection (b) of this section, an individual may
210 become registered to vote if the individual:

220 (1) is a citizen of the United States;

230 (2) is at least 18 years old or will be 18 years old on or before the day of the next
240 succeeding general or special election;

250 (3) is a resident of the county as of the day the individual seeks to register; and

260 (4) registers pursuant to this title.

270 **§ 3-201. Applying to register to vote.**

280 (A) An individual may apply to become a registered voter:

290 (1) at a local board office or the State Board office;

300 (2) at a registration site administered by a local board;

310 (3) by mail;

320 (4) when applying to the Motor Vehicle Administration for the issuance, renewal, or
330 modification of a driver's license or identification card;

340 (5) when applying for services at a voter registration agency; or

350 (6) with the assistance of a volunteer authorized by the State or local board.

360 (B) TO ESTABLISH THAT AN APPLICANT FOR VOTER REGISTRATION IS, AS
370 REQUIRED UNDER § 3-102(A)(1) OF THIS TITLE, A CITIZEN OF THE UNITED
380 STATES OF AMERICA BY REQUIRING PROOF OF CITIZENSHIP WITH THE
390 APPLICANT'S VOTER REGISTRATION APPLICATION:

400 (1) A COPY OF A BIRTH CERTIFICATE;

410 (2) A CURRENT PASSPORT ISSUED BY THE UNITED STATES OR A
420 TERRITORY OF THE UNITED STATES; OR

430 (3) A COPY OF THE DOCUMENT ISSUED BY THE UNITED STATES
440 GOVERNMENT ESTABLISHING THAT THE APPLICANT IS A
450 NATURALIZED CITIZEN OF THE UNITED STATES.

460 **§ 10-310. Same - Voting hours.**

470 (a) Qualification of voters.- For each individual who seeks to vote, an election judge, in
480 accordance with instructions provided by the local board, shall:

490 (1) locate the individual's name in the precinct register and locate the preprinted
500 voting authority card and then authorize the individual to vote a regular ballot;

510 (2) (i) if the individual's name is not found on the precinct register, search the
520 inactive list and if the name is found, authorize the individual to vote a
530 regular ballot; or

540 (ii) if the individual's name is not on the inactive list, refer the individual
550 for provisional ballot voting under § 9-404 of this article;

560 (3) establish the identity of the voter by ~~requesting~~ REQUIRING the voter to ~~state~~
570 ~~the month and day of the voter's birth and comparing the response to~~ PRESENT
580 THEIR VOTER REGISTRATION CARD AND VERIFYING THAT THE
590 INFORMATION ON THE VOTER'S REGISTRATION CARD MATCHES
600 the information listed in the precinct register;

610 (4) verify the address of the voter's residence;

620 (5) if any changes to the voting authority card are indicated by a voter, make the
630 appropriate changes in information on the card or other appropriate form; and

640 (6) have the voter sign the voting authority card and either issue the voter a ballot or
650 send the voter to a machine to vote.

660 **SECTION 2.** BE IT FURTHER ENACTED, That this Act takes effect October 1, 2005.

670 **MANDATES:**

680 Robert L. Ehrlich, Jr., Governor

690 Gilles W. Burger, Chairman of Maryland State Board of Elections

700 Paula C. Hollinger, Chair Education Health and Environmental Affairs

710 Sheila E. Hixson, Chair House Ways and Means Committee

720 Allan H. Kittleman, Senator and Sponsor of SB677-2005

730 Don Dwyer, Jr, Delegate and Sponsor of HB1166-2005

Sponsor:

Dan Holler, Tory Caucus Leader, Washington College

Co-Sponsors:

Daniel Bowen, Tory Caucus Whip, University of Maryland, College Park

Holly Brownley, Co-DCP, St. Mary's College

Craig Reynolds, VDCP, Anne Arundel Community College

Courtney Smith, Mount St. Mary's University

Matthew Penick, University of Maryland, Baltimore County