

SENATE BILL 488

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71r1821
CF HB 554

By: **Senators Britt, Conway, Currie, Gladden, Kelley, Pugh, and Rosapepe**

Introduced and read first time: February 2, 2007

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2007

CHAPTER _____

1 AN ACT concerning

2 **Voter Registration Protection Act**

3 FOR the purpose of altering certain qualifications for voter registration; providing that
4 an individual is not qualified to register to vote if the individual has been
5 convicted of a felony and is actually serving a court-ordered sentence ~~imposed of~~
6 imprisonment, including any term of parole or probation, for the conviction;
7 repealing certain conditions relating to the eligibility of certain felons convicted
8 of certain crimes to register to vote; repealing a certain definition; altering the
9 type of crimes for which the clerks of certain courts must report the names of
10 individuals convicted of those crimes to the State Administrator of Elections;
11 modifying the criteria under which a certain criminal penalty may be imposed;
12 and generally relating to voter registration eligibility requirements for
13 individuals convicted of certain crimes.

14 BY repealing

15 Article – Election Law

16 Section 1-101(aa)

17 Annotated Code of Maryland

18 (2003 Volume and 2006 Supplement)

19 BY renumbering

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 (1) has been convicted of [theft or other infamous crime, unless the
2 individual:

3 (i) has been pardoned; or

4 (ii) 1. in connection with a first conviction, has completed
5 the court-ordered sentence imposed for the conviction, including probation, parole,
6 community service, restitutions, and fines; or

7 2. in connection with a subsequent conviction, has
8 completed the court-ordered sentence imposed for the conviction, including probation,
9 parole, community service, restitutions, and fines, and at least 3 years have elapsed
10 since the completion of the court-ordered sentence imposed for the conviction,
11 including probation, parole, community service, restitutions, and fines;] **A FELONY
12 AND IS ACTUALLY SERVING A COURT-ORDERED SENTENCE ~~IMPOSED~~ OF
13 IMPRISONMENT, INCLUDING ANY TERM OF PAROLE OR PROBATION, FOR THE
14 CONVICTION; ~~OR~~**

15 (2) is under guardianship for mental disability~~;~~ or

16 (3) has been convicted of buying or selling votes~~;~~.

17 [(c) Notwithstanding subsection (b) of this section, an individual is not
18 qualified to be a registered voter if the individual has been convicted of a second or
19 subsequent crime of violence, as defined in § 14-101 of the Criminal Law Article.]

20 3-504.

21 (a) (1) (i) Information from the agencies specified in this paragraph
22 shall be reported to the State Administrator in a format and at times prescribed by the
23 State Board.

24 (ii) The Department of Health and Mental Hygiene shall report
25 the names and residence addresses (if known) of all individuals at least 16 years of age
26 reported deceased within the State since the date of the last report.

27 (iii) The clerk of the circuit court for each county and the
28 administrative clerk for each District Court shall report the names and addresses of
29 all individuals convicted, in the respective court, of [theft or infamous crimes] A
30 FELONY since the date of the last report.

1 (iv) The clerk of the circuit court for each county shall report the
2 former and present names and residence addresses (if known) of all individuals whose
3 names have been changed by decree or order of the court since the date of the last
4 report.

5 (2) The State Administrator shall make arrangements with the clerk
6 of the United States District Court for the District of Maryland to receive reports of
7 names and addresses, if available, of individuals convicted of [infamous crimes] A
8 FELONY in that court.

9 (b) (1) The State Administrator shall transmit to the appropriate local
10 board information gathered pursuant to subsection (a) of this section.

11 (2) Every agency or instrumentality of any county which acquires or
12 condemns or razes or causes to be condemned or razed any building used as a
13 residence within the county shall promptly report this fact and the location of the
14 building to the local board in the county or city.

15 (3) Registration cancellation information provided by an applicant on
16 any voter registration application shall be provided to the appropriate local board by
17 the State Administrator or another local board.

18 (4) A local board may:

19 (i) make arrangements to receive change of address
20 information from an entity approved by the State Board; and

21 (ii) pay a reasonable fee to the entity for the information.

22 (c) (1) Whenever a local board becomes aware of an obituary or any other
23 reliable report of the death of a registered voter, the election director shall mail a
24 notice to the registered voter, as prescribed by the State Board, to verify whether the
25 voter is in fact deceased.

26 (2) On receipt of a verification of the death of a voter, provided in
27 accordance with the notice mailed under paragraph (1) of this subsection, the election
28 director may remove the voter from the statewide voter registration list under § 3-501
29 of this subtitle.

30 16-202.

1 (a) A person who has been convicted of [an infamous crime,] **A FELONY AND**
 2 **IS ACTUALLY SERVING A COURT-ORDERED SENTENCE ~~IMPOSED~~ OF**
 3 **IMPRISONMENT, INCLUDING ANY TERM OF PAROLE OR PROBATION, FOR THE**
 4 **CONVICTION**, and has been rendered ineligible to vote pursuant to § 3-102(b) of this
 5 article, may not vote or attempt to vote during the time that the person is rendered
 6 ineligible to vote.

7 (b) A person who violates this section is guilty of a felony and is subject to
 8 imprisonment for not less than 1 year nor more than 5 years.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 10 July 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.