

HB0657/633229/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 657
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “requiring a court to report certain information to the State Board of Elections when the court makes a certain finding that an individual under guardianship for mental disability cannot communicate a desire to participate in the voting process;”; in the same line, strike “of Elections”; after line 14, insert:

“BY repealing and reenacting, without amendments,

Article - Election Law

Section 3-102(b), 3-501, and 9-304

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)”;

in line 17, after “Section” insert “3-504(a) and”; and strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“3-102.

(b) An individual is not qualified to be a registered voter if the individual:

(1) has been convicted of a felony and is actually serving a court-ordered sentence of imprisonment, including any term of parole or probation, for the conviction;

(Over)

(2) is under guardianship for mental disability and a court of competent jurisdiction has specifically found by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process; or

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

3-501.

An election director may remove a voter from the statewide voter registration list only:

(1) at the request of the voter, provided the request is:

(i) signed by the voter;

(ii) authenticated by the election director; and

(iii) in a format acceptable to the State Board or on a cancellation notice provided by the voter on a voter registration application;

(2) upon determining, based on information provided pursuant to § 3-504 of this subtitle, that the voter is no longer eligible because:

(i) the voter is not qualified to be a registered voter as provided in § 3-102(b) of this title; or

(ii) the voter is deceased;

(3) if the voter has moved outside the State, as determined by conducting the procedures established in § 3-502 of this subtitle; or

(4) if, in accordance with the administrative complaint process under § 3-602 of this title, the State Administrator or the State Administrator's designee has determined that the voter is not qualified to be registered to vote.

3-504.

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

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

(iii) The clerk of the circuit court for each county and the administrative clerk for each District Court shall report the names and addresses of all individuals convicted, in the respective court, of a felony since the date of the last report.

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

(v) A COURT SHALL REPORT THE NAME AND RESIDENCE ADDRESS OF AN INDIVIDUAL UNDER GUARDIANSHIP FOR MENTAL DISABILITY IF THE COURT FINDS THAT THE INDIVIDUAL CANNOT COMMUNICATE A DESIRE TO PARTICIPATE IN THE VOTING PROCESS IN ACCORDANCE WITH § 3-102(B).

(2) The State Administrator shall make arrangements with the clerk of the United States District Court for the District of Maryland to receive reports of names and addresses, if available, of individuals convicted of a felony in that court.”.