

HOUSE BILL 312

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HB 101/11 – W&M

2lr0408
CF SB 349

By: **Delegates Rosenberg, Barve, Cardin, Ivey, Ross, and Summers**

Introduced and read first time: January 30, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Petitions – Prohibited Actions**

3 FOR the purpose of prohibiting a person from willfully and knowingly obtaining or
4 attempting to obtain a signature on a petition by certain means; prohibiting a
5 person from willfully and knowingly preventing, hindering, or delaying another
6 person from signing a petition by certain means; and generally relating to
7 prohibited actions relating to petitions.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 16–401
11 Annotated Code of Maryland
12 (2010 Replacement Volume and 2011 Supplement)

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

15 **Article – Election Law**

16 16–401.

17 (a) A person may not willfully and knowingly:

18 (1) give, transfer, promise, or offer anything of value for the purpose of
19 inducing another person to sign or not sign any petition;

20 (2) request, receive, or agree to receive, anything of value as an
21 inducement to sign or not to sign any petition;

22 (3) misrepresent any fact for the purpose of inducing another person to
23 sign or not to sign any petition;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) sign the name of any other person to a petition;

2 (5) falsify any signature or purported signature to a petition;

3 (6) obtain, or attempt to obtain, any signature to a petition by fraud,
4 duress, [or] force, **THREAT, MENACE, OR INTIMIDATION;**

5 **(7) PREVENT, HINDER, OR DELAY ANOTHER PERSON WHO HAS A**
6 **LAWFUL RIGHT TO SIGN A PETITION FROM SIGNING A PETITION THROUGH THE**
7 **USE OF FRAUD, DURESS, FORCE, THREAT, MENACE, OR INTIMIDATION;**

8 **[(7)] (8)** circulate, cause to be circulated, or file with an election
9 authority a petition that contains any false, forged, or fictitious signatures;

10 **[(8)] (9)** sign a petition that the person is not legally qualified to sign;

11 **[(9)] (10)** sign a petition more than once; or

12 **[(10)] (11)** alter any petition after it is filed with the election authority.

13 (b) Each violation of this section shall be considered a separate offense.

14 (c) A person who violates this section is guilty of a misdemeanor and is
15 subject to the penalties provided in Subtitle 10 of this title.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2012.