

HOUSE BILL 240

G1
HB 3/09 – W&M

0lr1339
CF SB 121

By: **Delegates Levy, Aumann, Barve, Boteler, Bronrott, Cane, Carr, G. Clagett, DeBoy, Elmore, Frick, Frush, George, Glenn, Hecht, Howard, Jameson, Kaiser, Kipke, Kullen, Lafferty, Lee, Mizeur, Montgomery, Morhaim, Murphy, Olszewski, Reznik, Rice, Robinson, Ross, Sophocleus, Stukes, V. Turner, and Wood**

Introduced and read first time: January 25, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Access to Voting Room and Voting Booth by Minors Not**
3 **Eligible to Vote**

4 FOR the purpose of increasing the maximum age at which a minor may accompany a
5 voter in the voting room and voting booth at a polling place under certain
6 circumstances; and generally relating to access to the voting room and voting
7 booth by minors at the polling place.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 10–308 and 10–310(c)
11 Annotated Code of Maryland
12 (2003 Volume and 2009 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 10–308.

17 (a) An election judge shall allow the following individuals to have access to
18 the voting room at a polling place:

19 (1) a voter;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) an individual who accompanies a voter in need of assistance in
2 accordance with § 10–310(c) of this subtitle;

3 (3) polling place staff;

4 (4) a member or other representative of the State Board or local board;

5 (5) an accredited watcher or challenger under § 10–311 of this subtitle;

6 (6) an individual under the age of [13] 18 who accompanies a voter in
7 accordance with § 10–310(c) of this subtitle, provided that:

8 (I) the individual is in the care of the voter and does not disrupt
9 or interfere with normal voting procedures; and

10 (II) **THE INDIVIDUAL IS NOT ELIGIBLE TO VOTE IN THAT**
11 **ELECTION; AND**

12 (7) any other individual authorized by the State Board or local board.

13 (b) Notwithstanding the provisions of subsection (a)(6) of this section, not
14 more than two individuals under the age of [13] 18 may accompany a voter in
15 accordance with § 10–310(c) of this subtitle.

16 10–310.

17 (c) (1) Before a voter enters a voting booth, at the request of the voter, an
18 election judge shall:

19 (i) instruct the voter about the operation of the voting system;
20 and

21 (ii) allow the voter an opportunity to operate a model voting
22 device, if appropriate to the voting system in use.

23 (2) (i) 1. After a voter enters the voting booth, at the request of
24 the voter, two election judges representing different political parties shall instruct the
25 voter on the operation of the voting device.

26 2. An election judge may not suggest in any way how the
27 voter should vote for a particular ticket, candidate, or position on a question.

28 3. After instructing the voter, the election judges shall
29 exit the voting booth and allow the voter to vote privately.

30 (ii) A voter may take into the polling place any written or
31 printed material to assist the voter in marking or preparing the ballot.

1 (3) (i) Except as provided in subparagraph (ii) of this paragraph, a
2 voter who requires assistance in marking or preparing the ballot because of a physical
3 disability or an inability to read the English language may choose any individual to
4 assist the voter.

5 (ii) A voter may not choose the voter's employer or agent of that
6 employer or an officer or agent of the voter's union to assist the voter in marking the
7 ballot.

8 (4) If the voter requires the assistance of another in voting, but
9 declines to select an individual to assist, an election judge, in the presence of another
10 election judge that represents another political party, shall assist the voter in the
11 manner prescribed by the voter.

12 (5) An individual assisting a voter may not suggest in any way how
13 the voter should vote for a particular ticket, candidate, or position on a question.

14 (6) If a voter requires assistance under paragraph (4) or (5) of this
15 subsection, the election judge shall record, on a form prescribed by the State Board,
16 the name of the voter who required assistance and the name of the individual
17 providing assistance to the voter.

18 (7) Except as provided in paragraph (3) or (4) of this subsection, an
19 individual over the age of [12] 17 years may not accompany a voter into a voting
20 booth.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2010.