

# HOUSE BILL 252

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HB 542/18 – W&M

9lr0858  
CF SB 936

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By: **Delegates Washington, Acevero, Barron, D.M. Davis, Fennell, W. Fisher, Ivey, Jackson, Moon, Mosby, Queen, and Wilkins**

Introduced and read first time: January 24, 2019

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Election Law – ~~Eligible Detainees – Information on Voting Rights~~ Correctional**  
3 **Facilities – Voting Coordinators**

4 FOR the purpose of ~~requiring the State Board of Elections to adopt regulations establishing~~  
5 ~~a program to inform certain eligible detainees in correctional facilities of upcoming~~  
6 ~~elections and how the eligible detainees may exercise the right to vote; requiring that~~  
7 ~~the regulations provide for the dissemination of certain information and applications~~  
8 ~~and certain transmission of certain applications and ballots between correctional~~  
9 ~~facilities and the local boards of elections; requiring the State Board to consult with~~  
10 ~~the Secretary of Public Safety and Correctional Services and certain local~~  
11 ~~correctional officials when developing the regulations; requiring correctional~~  
12 ~~facilities to cooperate with election officials in developing and implementing the~~  
13 ~~regulations; defining certain terms; and generally relating to providing information~~  
14 ~~to eligible detainees on how to exercise the right to vote~~ requiring each correctional  
15 facility to designate an employee to act as the correctional facility's voting  
16 coordinator; requiring the voting coordinator to facilitate voter registration and  
17 voting by eligible detainees; requiring the voting coordinator to be responsible for  
18 informing eligible detainees of certain information, the dissemination of certain  
19 information and applications to eligible detainees, and the certain transmission of  
20 certain applications and ballots between eligible detainees at correctional facilities  
21 and the local boards of elections; prohibiting a voting coordinator from taking certain  
22 actions; requiring each voting coordinator to complete an annual training program  
23 conducted by the State Board of Elections concerning the responsibilities of the

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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 voting coordinator; defining certain terms; and generally relating to correctional  
 2 facilities and voting coordinators.

3 BY adding to

4 Article – Election Law

5 Section 1–303.1

6 Annotated Code of Maryland

7 (2017 Replacement Volume and 2018 Supplement)

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

10 **Article – Election Law**

11 **1–303.1.**

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
 13 INDICATED.

14 (2) “CORRECTIONAL FACILITY” MEANS A STATE CORRECTIONAL  
 15 FACILITY OR A LOCAL CORRECTIONAL FACILITY.

16 (3) “ELIGIBLE DETAINEE” MEANS AN INDIVIDUAL WHO IS ELIGIBLE  
 17 TO VOTE WHILE:

18 (I) DETAINED IN A CORRECTIONAL FACILITY AWAITING TRIAL;  
 19 OR

20 (II) INCARCERATED IN A CORRECTIONAL FACILITY SOLELY FOR  
 21 A MISDEMEANOR OFFENSE.

22 (4) “LOCAL CORRECTIONAL FACILITY” HAS THE MEANING STATED IN  
 23 § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

24 (5) “STATE CORRECTIONAL FACILITY” HAS THE MEANING STATED IN  
 25 § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

26 ~~(B) THE STATE BOARD SHALL ADOPT REGULATIONS ESTABLISHING A~~  
 27 ~~PROGRAM TO INFORM ELIGIBLE DETAINEES OF UPCOMING ELECTIONS AND HOW~~  
 28 ~~THE ELIGIBLE DETAINEES MAY EXERCISE THE RIGHT TO VOTE.~~

29 ~~(C) THE REGULATIONS REQUIRED UNDER SUBSECTION (B) OF THIS~~  
 30 ~~SECTION SHALL PROVIDE FOR:~~

1           ~~(1) THE DISSEMINATION OF INFORMATION ON ELIGIBILITY~~  
2 ~~REQUIREMENTS TO REGISTER TO VOTE AND VOTER REGISTRATION APPLICATIONS;~~

3           ~~(2) THE DISSEMINATION OF INFORMATION ON ABSENTEE VOTING~~  
4 ~~AND ABSENTEE BALLOT APPLICATIONS; AND~~

5           ~~(3) THE EFFICIENT TRANSMISSION OF VOTER REGISTRATION~~  
6 ~~APPLICATIONS, ABSENTEE BALLOT APPLICATIONS, AND ABSENTEE BALLOTS~~  
7 ~~BETWEEN CORRECTIONAL FACILITIES AND THE LOCAL BOARDS.~~

8           ~~(D) THE STATE BOARD SHALL CONSULT WITH THE SECRETARY OF PUBLIC~~  
9 ~~SAFETY AND CORRECTIONAL SERVICES AND LOCAL CORRECTIONAL OFFICIALS~~  
10 ~~WHEN DEVELOPING THE REGULATIONS REQUIRED UNDER SUBSECTION (B) OF THIS~~  
11 ~~SECTION.~~

12           ~~(E) CORRECTIONAL FACILITIES SHALL COOPERATE FULLY WITH THE~~  
13 ~~STATE BOARD AND LOCAL BOARDS IN DEVELOPING AND IMPLEMENTING THE~~  
14 ~~REGULATIONS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.~~

15           (B) EACH CORRECTIONAL FACILITY SHALL DESIGNATE AN EMPLOYEE TO  
16 ACT AS THE CORRECTIONAL FACILITY'S VOTING COORDINATOR.

17           (C) THE VOTING COORDINATOR SHALL FACILITATE VOTER REGISTRATION  
18 AND VOTING BY ELIGIBLE DETAINEES.

19           (D) THE VOTING COORDINATOR SHALL BE RESPONSIBLE FOR:

20           (1) INFORMING ELIGIBLE DETAINEES OF UPCOMING ELECTIONS AND  
21 HOW THE ELIGIBLE DETAINEES MAY EXERCISE THE RIGHT TO VOTE;

22           (2) THE DISSEMINATION TO ELIGIBLE DETAINEES OF INFORMATION  
23 ON ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE AND VOTER REGISTRATION  
24 APPLICATIONS;

25           (3) THE DISSEMINATION TO ELIGIBLE DETAINEES OF INFORMATION  
26 ON ABSENTEE VOTING AND ABSENTEE BALLOT APPLICATIONS; AND

27           (4) THE EFFICIENT TRANSMISSION OF VOTER REGISTRATION  
28 APPLICATIONS, ABSENTEE BALLOT APPLICATIONS, AND ABSENTEE BALLOTS  
29 BETWEEN ELIGIBLE DETAINEES AT THE CORRECTIONAL FACILITY AND THE LOCAL  
30 BOARDS.

31           (E) A VOTING COORDINATOR MAY NOT:

1           **(1) SEEK TO INFLUENCE AN ELIGIBLE DETAINEE’S POLITICAL**  
2 **PREFERENCE OR PARTY REGISTRATION;**

3           **(2) DISPLAY ANY POLITICAL PREFERENCE OR PARTY ALLEGIANCE;**  
4 **OR**

5           **(3) MAKE ANY STATEMENT TO AN ELIGIBLE DETAINEE OR TAKE ANY**  
6 **ACTION THE PURPOSE OR EFFECT OF WHICH IS TO LEAD AN ELIGIBLE DETAINEE TO**  
7 **BELIEVE THAT A DECISION WHETHER OR NOT TO REGISTER, VOTE, OR SUPPORT OR**  
8 **OPPOSE ANY CANDIDATE OR QUESTION ON THE BALLOT HAS ANY EFFECT ON THE**  
9 **ELIGIBLE DETAINEE’S TREATMENT BY THE CORRECTIONAL FACILITY.**

10           **(F) EACH VOTING COORDINATOR SHALL COMPLETE AN ANNUAL TRAINING**  
11 **PROGRAM CONDUCTED BY THE STATE BOARD CONCERNING THE RESPONSIBILITIES**  
12 **OF THE VOTING COORDINATOR UNDER THIS SECTION.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.