

HOUSE BILL 113

G1

CONSTITUTIONAL AMENDMENT
(PRE-FILED)

2lr0394

By: **Delegate Long**

Requested: August 20, 2021

Introduced and read first time: January 12, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – In-Person Voting – Proof of Identity**

3 FOR the purpose of requiring individuals seeking to vote in person at a polling place or
4 early voting center to prove the individual's identity by presenting certain
5 identification to an election judge; and providing that individuals who do not prove
6 the individual's identity as required must be issued and may cast a provisional ballot.

7 BY proposing an addition to the Maryland Constitution

8 Article I – Elective Franchise

9 Section 2B

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 (Three-fifths of all the members elected to each of the two Houses concurring), That it be
12 proposed that the Maryland Constitution read as follows:

13 **Article I – Elective Franchise**

14 **2B.**

15 **(A) EACH INDIVIDUAL SEEKING TO VOTE IN PERSON AT A POLLING PLACE**
16 **OR EARLY VOTING CENTER SHALL PROVE THE INDIVIDUAL'S IDENTITY BY**
17 **PRESENTING TO AN ELECTION JUDGE:**

18 **(1) A VALID GOVERNMENT-ISSUED PHOTO IDENTIFICATION; OR**

19 **(2) A VALID NONGOVERNMENT-ISSUED PHOTO IDENTIFICATION AND**
20 **A CURRENT UTILITY BILL, BANK STATEMENT, PAYCHECK, GOVERNMENT CHECK OR**
21 **OTHER GOVERNMENT DOCUMENT THAT STATES THE VOTER'S NAME AND ADDRESS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) AN INDIVIDUAL SEEKING TO VOTE IN PERSON AT A POLLING PLACE OR**
2 **EARLY VOTING CENTER WHO DOES NOT PROVE THE INDIVIDUAL’S IDENTITY IN**
3 **ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION SHALL BE ISSUED AND MAY**
4 **CAST A PROVISIONAL BALLOT.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
6 determines that the amendment to the Maryland Constitution proposed by Section 1 of this
7 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
8 Constitution concerning local approval of constitutional amendments do not apply.

9 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the
10 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
11 voters of the State at the next general election to be held in November 2022 for adoption or
12 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
13 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
14 ballot there shall be printed the words “For the Constitutional Amendment” and “Against
15 the Constitutional Amendment”, as now provided by law. Immediately after the election,
16 all returns shall be made to the Governor of the vote for and against the proposed
17 amendment, as directed by Article XIV of the Maryland Constitution, and further
18 proceedings had in accordance with Article XIV.