

# HOUSE BILL 373

G1, F1

CONSTITUTIONAL AMENDMENT

4lr0727

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By: **Delegate Vogel**

Introduced and read first time: January 17, 2024

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voting Age – Board of Education Elections**

3 FOR the purpose of authorizing the General Assembly to provide by suitable enactment the  
4 authority of a county to lower the age at which an individual may vote in an election  
5 for members of an elected county board of education; authorizing, if authorized by  
6 the county in which the individual is registered to vote, an individual under a certain  
7 age to vote in an election for members of an elected county board of education;  
8 authorizing a county to enact a local law that allows an individual who is at least a  
9 certain age to vote in an election for members of an elected county board of education;  
10 and generally relating to the age at which an individual may vote in board of  
11 education elections.

12 BY proposing an amendment to the Maryland Constitution  
13 Article I – Elective Franchise  
14 Section 1

15 BY proposing an addition to the Maryland Constitution  
16 Article I – Elective Franchise  
17 Section 1A

18 BY repealing and reenacting, with amendments,  
19 Article – Election Law  
20 Section 3–102  
21 Annotated Code of Maryland  
22 (2022 Replacement Volume and 2023 Supplement)

23 BY adding to  
24 Article – Election Law  
25 Section 3–102.1  
26 Annotated Code of Maryland  
27 (2022 Replacement Volume and 2023 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 **Article I – Elective Franchise**

5 1.

6 All elections shall be by ballot. Except as provided in **SECTION 1A**, Section 2A, or  
7 Section 3 of this article, every citizen of the United States, of the age of 18 years or upwards,  
8 who is a resident of the State as of the time for the closing of registration next preceding  
9 the election, shall be entitled to vote in the ward or election district in which the citizen  
10 resides at all elections to be held in this State. [A person] **AN INDIVIDUAL** once entitled to  
11 vote in any election district, shall be entitled to vote there until the [person] **INDIVIDUAL**  
12 shall have acquired a residence in another election district or ward in this State.

13 **1A.**

14 **THE GENERAL ASSEMBLY SHALL HAVE THE POWER TO PROVIDE BY SUITABLE**  
15 **ENACTMENT THE AUTHORITY OF A COUNTY TO LOWER THE AGE AT WHICH AN**  
16 **INDIVIDUAL MAY VOTE IN AN ELECTION FOR THE MEMBERS OF AN ELECTED COUNTY**  
17 **BOARD OF EDUCATION.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
19 as follows:

20 **Article – Election Law**

21 3–102.

22 (a) (1) Except as provided in subsection (b) of this section, an individual may  
23 become registered to vote if the individual:

24 (i) is a citizen of the United States;

25 (ii) is at least 16 years old;

26 (iii) is a resident of the State as of the day the individual seeks to  
27 register; and

28 (iv) registers pursuant to this title.

29 (2) Notwithstanding paragraph (1)(ii) of this subsection, an individual  
30 under the age of 18 years:

1 (i) may vote in a primary election in which candidates are  
2 nominated for a general or special election that will occur when the individual is at least  
3 18 years old; [and]

4 (ii) **IF AUTHORIZED UNDER § 3-102.1 OF THIS SUBTITLE BY THE**  
5 **COUNTY IN WHICH THE INDIVIDUAL IS REGISTERED TO VOTE, MAY VOTE IN AN**  
6 **ELECTION FOR MEMBERS OF AN ELECTED COUNTY BOARD OF EDUCATION; AND**

7 (iii) may not vote in any other election.

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

9 (1) has been convicted of a felony and is currently serving a court-ordered  
10 sentence of imprisonment for the conviction;

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

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

16 **3-102.1.**

17 **A COUNTY MAY ENACT A LOCAL LAW THAT ALLOWS AN INDIVIDUAL WHO IS AT**  
18 **LEAST 16 YEARS OLD TO VOTE IN AN ELECTION FOR MEMBERS OF AN ELECTED**  
19 **COUNTY BOARD OF EDUCATION.**

20 SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly  
21 determines that the amendment to the Maryland Constitution proposed by Section 1 of this  
22 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland  
23 Constitution concerning local approval of constitutional amendments do not apply.

24 SECTION 4. AND BE IT FURTHER ENACTED, That the amendment to the  
25 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified  
26 voters of the State at the next general election to be held in November 2024 for adoption or  
27 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,  
28 the vote on the proposed amendment to the Constitution shall be by ballot, and on each  
29 ballot there shall be printed the words “For the Constitutional Amendment” and “Against  
30 the Constitutional Amendment”, as now provided by law. Immediately after the election,  
31 all returns shall be made to the Governor of the vote for and against the proposed  
32 amendment, as directed by Article XIV of the Maryland Constitution, and further  
33 proceedings had in accordance with Article XIV.

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1           SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act is  
2 contingent on the passage of Section 1 of this Act, a constitutional amendment, and its  
3 ratification by the voters of the State.

4           SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of  
5 Section 5 of this Act, Section 2 of this Act shall take effect on the proclamation of the  
6 Governor that the constitutional amendment, having received a majority of the votes cast  
7 at the general election, has been adopted by the people of Maryland.