

HOUSE BILL 221

G1

CONSTITUTIONAL AMENDMENT
(PRE-FILED)

6lr0741

By: **Delegates Bouchat and Hornberger**

Requested: August 27, 2025

Introduced and read first time: January 14, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Primary Elections – Change of Political Party Affiliation**

3 FOR the purpose of authorizing a voter to change the voter's political party affiliation at an
4 early voting center or a precinct polling place during a primary election and vote the
5 ballot for the voter's new political party affiliation; and generally relating to
6 changing political party affiliation and voting in a primary election.

7 BY proposing an addition to the Maryland Constitution

8 Article I – Elective Franchise
9 Section 2B

10 BY repealing and reenacting, with amendments,
11 Article – Election Law
12 Section 3–303
13 Annotated Code of Maryland
14 (2022 Replacement Volume and 2025 Supplement)

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

18 **Article I – Elective Franchise**

19 **2B.**

20 **DURING A PRIMARY ELECTION, A VOTER MAY APPEAR IN PERSON AT AN EARLY**
21 **VOTING CENTER OR A PRECINCT POLLING PLACE AND CHANGE THE VOTER'S**
22 **POLITICAL PARTY AFFILIATION AND VOTE THE BALLOT FOR THE VOTER'S NEW**
23 **POLITICAL PARTY AFFILIATION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Election Law

4 3-303.

5 (a) Notification of a change of party affiliation or a change to or from a decline
6 may be made:

(1) by information provided on a voter registration application by the same methods provided for registration under Subtitle 2 of this title;

(2) by written notice, signed by the voter and sent by mail or otherwise delivered to the local board in the county where the voter's current voter registration address is located or to which the voter has moved;

(4) by information on a voter authority card or other appropriate form filled out in a polling place; or

17 (5) by changing a name or address with the Motor Vehicle Administration.

18 (b) Party affiliation changes or changes to or from a decline:

19 (1) shall be processed at any time that registration is open; and

(2) except as provided in subsection (c) of this section, may not be processed when registration is closed.

22 (c) (1) If a local board receives a request for a party affiliation change after the
23 close of registration, the local board shall make the change and it shall become effective for
24 the next election provided:

25 [(1)] (I) there is sufficient evidence, as determined by the local boards
26 pursuant to regulations adopted by the State Board, that the request was mailed on or
27 before the close of registration for that election; or

[28] [29] [30] [(2)] (II) the request was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board on or before the close of registration for that election.

1 **(2) DURING A PRIMARY ELECTION, A VOTER MAY APPEAR IN PERSON**
2 **AT AN EARLY VOTING CENTER OR A PRECINCT POLLING PLACE AND CHANGE THE**
3 **VOTER'S POLITICAL PARTY AFFILIATION AND VOTE THE BALLOT FOR THE VOTER'S**
4 **NEW POLITICAL PARTY AFFILIATION.**

5 SECTION 3. 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 4. 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 2026 for adoption or
12 rejection in accordance with Article XIV of the Maryland Constitution. At that general
13 election, the vote on the proposed amendment to the Constitution shall be by ballot, and on
14 each ballot there shall be printed the words "For the Constitutional Amendment" and
15 "Against the Constitutional Amendment", as now provided by law. Immediately after the
16 election, 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 held in accordance with Article XIV.

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

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