

AMENDED CHARTER RESOLUTION
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK TO AMEND
ARTICLE IV, “VOTING AND ELECTIONS”, §C4-1, “QUALIFICATION OF VOTERS”
AND §C4-2, “REGISTRATION OF VOTERS” OF THE CITY CHARTER, TO ALLOW
PERMANENT RESIDENTS OF THE UNITED STATES TO VOTE IN CITY
ELECTIONS AND TO AUTHORIZE A SUPPLEMENTAL VOTER LIST

A Charter Resolution of the Mayor and Council of the City of College Park, Maryland, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

WHEREAS, the Mayor and Council have determined that it is in the public interest to change the qualifications to be a qualified voter in the City by allowing non-citizens of the United States who are permanent resident to register to vote in City elections; and

WHEREAS, the Mayor and Council have determined that a City supplemental voter registration list for non-United States citizen permanent resident voters must be authorized.

Section 1. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of College Park that Article IV, “Voting and Elections”, §C4-1, “Qualifications of voters” be repealed, reenacted and amended to read as follows:

§ C4-1 QUALIFICATIONS OF VOTERS.

A. EVERY PERSON WHO IS CITIZEN OF THE UNITED STATES, OR IS A NON-CITIZEN WHO IS LAWFULLY AUTHORIZED TO LIVE PERMANENTLY WITHIN THE UNITED STATES, AS EVIDENCED BY A UNITED STATES PERMANENT RESIDENT CARD (USCIS FORM I-551) OR OTHER DOCUMENT ISSUED BY THE UNITED STATES GOVERNMENT; A RESIDENT OF THE CITY OF COLLEGE PARK; WILL BE EIGHTEEN (18) YEARS OF AGE ON OR BEFORE THE DATE OF THE NEXT CITY ELECTION; AND DOES NOT CLAIM VOTING RESIDENCE OR THE RIGHT TO VOTE IN ANOTHER JURISDICTION, IS ELIGIBLE TO BE REGISTERED TO VOTE IN ACCORDANCE WITH THE PROVISIONS OF THIS CHARTER AS A QUALIFIED VOTER OF THE CITY EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION.

CAPS : Indicate matter added to existing law.

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B. AN INDIVIDUAL IS NOT ELIGIBLE TO BE A REGISTERED VOTER OF THE CITY IF THE INDIVIDUAL: (1) HAS BEEN CONVICTED OF A FELONY AND IS ACTUALLY SERVING A COURT-ORDERED SENTENCE OF IMPRISONMENT FOR THE CONVICTION; (2) IS UNDER GUARDIANSHIP FOR MENTAL DISABILITY AND A COURT OF COMPETENT JURISDICTION HAS SPECIFICALLY FOUND BY CLEAR AND CONVINCING EVIDENCE THAT THE INDIVIDUAL CANNOT COMMUNICATE, WITH OR WITHOUT ACCOMMODATIONS, A DESIRE TO PARTICIPATE IN THE VOTING PROCESS; OR (3) HAS BEEN CONVICTED OF BUYING OR SELLING VOTES.

C. All persons who have been properly registered as hereinafter provided shall be qualified voters of the City of College Park.

Section 2. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park that Article IV, “Voting and Elections”, §C4-2, “Registration of voters” be repealed, reenacted and amended to read as follows:

§ C4-2 Registration of voters.

A. Any person residing within the corporate limits of the City of College Park who is registered to vote with the [~~Supervisor of Elections for~~] Prince George's County BOARD OF ELECTIONS and will be at least 18 years of age on THE NEXT CITY election day shall automatically become a registered voter of the City of College Park and be entitled to vote at general or special elections of the City of College Park.

B. ANY PERSON RESIDING WITHIN THE CORPORATE LIMITS OF THE CITY OF COLLEGE PARK WHO IS NOT A UNITED STATES CITIZEN, BUT WHO MEETS THE VOTER QUALIFICATIONS SET FORTH IN § C4-1, MAY REGISTER WITH THE CITY CLERK TO VOTE IN CITY ELECTIONS. THE CITY CLERK SHALL MAINTAIN A SUPPLEMENTAL VOTER REGISTRY, SEPARATE FROM THE LIST OF REGISTERED VOTERS IN THE CITY GENERATED BY THE PRINCE GEORGE'S SUPERVISOR OF ELECTIONS, WHICH SHALL INCLUDE THE NAMES OF THOSE NON-UNITED STATES CITIZENS WHO ARE REGISTERED TO VOTE IN CITY ELECTIONS. THE CITY CLERK SHALL PROMPTLY SEND NOTICE TO ANY JURISDICTION IN THE UNITED STATES WHERE THE NEW REGISTRANT WAS FORMERLY REGISTERED TO VOTE, REQUESTING THE CANCELLATION OF SAID VOTER'S PRIOR REGISTRATION.

[~~B~~] C. Challenges to the registration of any individual REGISTERED WITH THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS not believed to be qualified to vote in the City elections shall be filed with the [~~Supervisor of Elections of~~] Prince George's County BOARD OF ELECTIONS[~~, Maryland,~~] in accordance with said [~~Supervisor's~~] BOARD'S procedures. CHALLENGES TO THE REGISTRATION OF ANY INDIVIDUAL REGISTERED ON THE SUPPLEMENTAL LIST WITH THE CITY CLERK NOT BELIEVED TO BE QUALIFIED TO VOTE IN THE CITY ELECTIONS SHALL BE FILED WITH THE CITY OF COLLEGE

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PARK SUPERVISORS OF ELECTIONS IN ACCORDANCE WITH THE SAID SUPERVISORS' PROCEDURES.

[€] D. Voter registration for City elections shall close 28 days prior to the election.

SECTION 3. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Charter Resolution, the City Clerk shall publish this proposed Charter Resolution or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing is hereby set for _____ p.m. on the _____ day of _____, 2017. All persons interested shall have an opportunity to be heard.

SECTION 4. BE IT FURTHER RESOLVED that this Charter Resolution is adopted this _____ day of _____, 2016, and that the amendment to the Charter of the City of College Park, hereby proposed by this enactment, shall be and become effective upon the fiftieth (50th) day after its passage by the City unless petitioned to referendum in accordance with §4-304 of the Local Government Article, Annotated Code of Maryland within forty (40) days following its passage. A complete and exact copy of this Charter Resolution shall be posted in the City offices located at 4500 Knox Road, College Park, Maryland for forty (40) days following its passage by the Mayor and Council and a fair summary of the Charter Resolution shall be published in a newspaper having general circulation in the City not less than four (4) times, at weekly intervals, also within the forty (40) day period following its adoption by the City.

SECTION 5. BE IT FURTHER RESOLVED that, within ten (10) days after the Charter Resolution hereby enacted becomes effective, either as herein provided or following

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referendum, the City Manager for the City of College Park shall send separately, by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, one copy of the following information concerning the Charter Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of College Park or in the referendum; and (iv) the effective date of the Charter Resolution.

SECTION 6. BE IT FURTHER RESOLVED that the City Manager of the City of College Park be, and hereby is, specifically enjoined and instructed to carry out the provisions of Sections 5 and 7 as evidence of compliance herewith; and said City Manager shall cause to be affixed to the minutes of this meeting (i) an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Resolution shall have been published; and (ii) shall further cause to be completed and executed the Municipal Charter or Annexation Resolution Registration Form.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____ 2017.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____ 2017.

EFFECTIVE the _____ day of _____, 2017.

ATTEST:

CITY OF COLLEGE PARK,

Janeen S. Miller, CMC, City Clerk

By _____
Patrick L. Wojahn, Mayor

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**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney

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