

HOUSE BILL 1457

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2001 Regular Session
(1r3052)

ENROLLED BILL

-- Commerce and Government Matters/Economic and Environmental Affairs --

Introduced by **Delegates Arnick and Kittleman (Special Committee on Voting Systems and Election Procedures in Maryland) and Delegates Eckardt, McIntosh, Bobo, and Dypski**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Uniform Statewide Voting Systems**

3 FOR the purpose of requiring the State Board of Elections, in consultation with the
4 local boards *of elections*, to select and certify ~~a uniform statewide voting system~~
5 ~~for voting in polling places and a uniform statewide voting system for absentee~~
6 ~~voting; repealing a certain requirement that the State Board adopt regulations~~
7 ~~for the review, certification, and decertification of voting systems used by local~~
8 ~~boards requiring the State Board to acquire the voting system selected and~~
9 ~~certified for voting in polling places in consultation with the local boards;~~
10 ~~requiring the State Board to provide for the operation and maintenance costs,~~
11 ~~storage, and staff training associated with the voting system acquired by the~~
12 ~~State Board under certain circumstances; defining certain terms; authorizing~~
13 ~~the State Board to request payment from each county for certain fiscal years for~~
14 ~~the voting system acquired by the State Board in accordance with certain~~
15 ~~provisions; requiring each county to pay a certain cost component of the voting~~

1 ~~system acquired by the State Board under certain circumstances; altering the~~
 2 ~~factors that the State Board shall consider in determining whether a voting~~
 3 ~~system meets certain standards; requiring the State Board to adopt regulations~~
 4 ~~relating to requirements for uniform statewide voting systems; repealing certain~~
 5 ~~provisions relating to the certification and decertification of certain voting~~
 6 ~~systems; repealing a certain provision relating to the requirement of the State~~
 7 ~~Board to notify local boards with respect to the certification of the voting~~
 8 ~~systems used by the local boards; clarifying the authority of a county to borrow~~
 9 ~~money for the acquisition of a voting system under certain circumstances;~~
 10 ~~making the inapplicability of certain provisions concerning mechanical lever~~
 11 ~~voting machines subject to a certain contingency; and generally relating to~~
 12 ~~uniform statewide voting systems *certain voting systems for certain purposes;*~~
 13 ~~*requiring the voting systems selected and certified by the State Board to be used*~~
 14 ~~*in all counties; altering the requirements for and considerations by which the*~~
 15 ~~*State Board certifies voting systems under certain circumstances; providing that*~~
 16 ~~*certain provisions of law concerning the prohibition on the use of mechanical*~~
 17 ~~*lever voting machines on or after a certain date do not apply in a county until*~~
 18 ~~*certain conditions are met; requiring a county to pay its share of a certain*~~
 19 ~~*percentage of the State's cost to acquire and operate the uniform statewide voting*~~
 20 ~~*systems under certain circumstances; providing that a county is not required to*~~
 21 ~~*implement the statewide voting system until a certain date and is not required to*~~
 22 ~~*pay certain costs until the county implements the uniform statewide voting*~~
 23 ~~*system under certain circumstances; requiring that any federal funds received for*~~
 24 ~~*improvements in voting systems and equipment be distributed in a certain*~~
 25 ~~*manner; and generally relating to voting systems in the State.*~~

26 BY repealing and reenacting, with amendments,
 27 Article 33 - Election Code
 28 Section ~~9-101~~, 9-102, ~~9-103~~, and 9-105 ~~through, and~~ 9-107
 29 Annotated Code of Maryland
 30 (1997 Replacement Volume and 2000 Supplement)

31 BY repealing
 32 Article 33 - Election Code
 33 Section ~~9-101~~, ~~9-103~~, and 9-104
 34 Annotated Code of Maryland
 35 (1997 Replacement Volume and 2000 Supplement)

36 ~~BY adding to~~
 37 ~~Article 33 - Election Code~~
 38 ~~Section 9-101~~

39 BY renumbering
 40 Article 33 - Election Code
 41 Section 9-106
 42 to be Section 9-104

1 Annotated Code of Maryland
2 (1997 Replacement Volume and 2000 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That Section(s) 9-104 of Article 33 - Election Code of the Annotated
5 Code of Maryland be repealed.

6 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 9-106 of
7 Article 33 - Election Code of the Annotated Code of Maryland be renumbered to be
8 Section(s) 9-104.

9 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
10 read as follows:

11 **Article 33 - Election Code**

12 ~~9-101.~~

13 (a) [A local board may not use a voting system in an election conducted under
14 this article unless the voting system has been certified in accordance with this
15 subtitle] THE STATE BOARD, IN CONSULTATION WITH THE LOCAL BOARDS, SHALL
16 SELECT AND CERTIFY A VOTING SYSTEM FOR VOTING IN POLLING PLACES AND A
17 VOTING SYSTEM FOR ABSENTEE VOTING.

18 (b) [Except as otherwise provided by law or authorized in writing by the State
19 Board, a local board shall either:

20 (1) Use a single voting system for both absentee voting and voting in
21 polling places; or

22 (2) Use a single voting system for absentee voting and a single different
23 voting system for voting in polling places] THE VOTING SYSTEM SELECTED AND
24 CERTIFIED FOR VOTING IN POLLING PLACES AND THE VOTING SYSTEM SELECTED
25 AND CERTIFIED FOR ABSENTEE VOTING SHALL BE USED IN ALL COUNTIES.]

26 (C) THE STATE BOARD SHALL ACQUIRE:

27 (1) THE VOTING SYSTEM SELECTED AND CERTIFIED FOR VOTING IN
28 POLLING PLACES; AND

29 (2) THE VOTING SYSTEM SELECTED AND CERTIFIED FOR ABSENTEE
30 VOTING.

31 ~~9-101.~~

32 (A) ~~THE STATE BOARD, IN CONSULTATION WITH THE LOCAL BOARDS, SHALL~~
33 ~~SELECT AND CERTIFY A VOTING SYSTEM FOR VOTING IN POLLING PLACES AND A~~
34 ~~VOTING SYSTEM FOR ABSENTEE VOTING.~~

1 ~~(B) THE VOTING SYSTEM SELECTED AND CERTIFIED FOR VOTING IN POLLING~~
 2 ~~PLACES AND THE VOTING SYSTEM SELECTED AND CERTIFIED FOR ABSENTEE~~
 3 ~~VOTING SHALL BE USED IN ALL JURISDICTIONS COUNTIES.~~

4 ~~(C) (1) (I) THE STATE BOARD SHALL ACQUIRE THE VOTING SYSTEM~~
 5 ~~SELECTED AND CERTIFIED FOR VOTING IN POLLING PLACES.~~

6 ~~(II) IN ACQUIRING THE EQUIPMENT AND SYSTEM UNDER THIS~~
 7 ~~PARAGRAPH, THE STATE BOARD SHALL CONSULT WITH LOCAL BOARDS OF~~
 8 ~~ELECTIONS AND COUNTY GOVERNMENTS TO ENSURE THAT LEVELS OF VOTER~~
 9 ~~SERVICE ARE NOT DIMINISHED.~~

10 ~~(III) UNLESS THE STATE BOARD AND THE ELECTION BOARD OF A~~
 11 ~~COUNTY AGREE OTHERWISE, EACH COUNTY WILL BE PROVIDED SUFFICIENT~~
 12 ~~EQUIPMENT TO PROVIDE THE SAME NUMBER OF VOTER STATIONS PER PRECINCT AS~~
 13 ~~WERE IN PLACE PRIOR TO THE STATE BOARD'S ACQUISITION OF A STATEWIDE~~
 14 ~~VOTING SYSTEM.~~

15 ~~(2) THE STATE BOARD SHALL, EITHER WITHIN A LEASE CONTRACT USED~~
 16 ~~TO ACQUIRE THE SYSTEM UNDER PARAGRAPH (1) OF THIS SUBSECTION OR BY A~~
 17 ~~SEPARATE CONTRACT, PROVIDE FOR THE OPERATION AND MAINTENANCE COSTS OF~~
 18 ~~THE SYSTEM ACQUIRED.~~

19 ~~(3) THE STATE BOARD SHALL PROVIDE FOR STORAGE OF THE~~
 20 ~~EQUIPMENT AND SYSTEM ACQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION,~~
 21 ~~OR SHALL PROVIDE FUNDING FOR LOCAL BOARDS OF ELECTION FOR EQUIPMENT~~
 22 ~~STORAGE.~~

23 ~~(4) THE STATE BOARD SHALL PROVIDE ANY STAFF TRAINING OR~~
 24 ~~EDUCATION NECESSARY TO PROPERLY IMPLEMENT AND ADMINISTER THE~~
 25 ~~EQUIPMENT AND SYSTEM ACQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

26 ~~(D) (1) (I) IN THIS SUBSECTION, THE FOLLOWING WORDS HAVE THE~~
 27 ~~MEANINGS INDICATED:~~

28 ~~(II) "PRIOR LEASE COSTS" MEANS:~~

29 ~~1: FOR A COUNTY LEASING A VOTING SYSTEM AS OF FISCAL~~
 30 ~~YEAR 2001, THE ANNUAL LEASE AMOUNT FOR FISCAL YEAR 2001; OR~~

31 ~~2: FOR A COUNTY OWNING A VOTING SYSTEM AS OF FISCAL~~
 32 ~~YEAR 2001, THE PRODUCT OF:~~

33 ~~A: THE FISCAL YEAR 2001 AVERAGE AMOUNT PER VOTING~~
 34 ~~AGE RESIDENT SPENT IN THOSE COUNTIES EMPLOYING THE MOST COMMONLY USED~~
 35 ~~LEASED VOTING SYSTEM IN FISCAL YEAR 2001; AND~~

36 ~~B: THE NUMBER OF VOTING AGE RESIDENTS IN THE~~
 37 ~~COUNTY.~~

1 ~~(III)~~ ~~"TOTAL SHARED COSTS" MEANS:~~

2 ~~1.~~ ~~IF THE STATE BOARD ACQUIRES ELECTION SYSTEMS BY~~
3 ~~LEASE OR OTHER ONGOING PAYMENT MECHANISM, THE ANNUAL COST TO THE~~
4 ~~STATE, NET OF ANY FEDERAL CONTRIBUTIONS, FOR ACQUISITION, OPERATION, AND~~
5 ~~MAINTENANCE OF ELECTION SYSTEMS UNDER SUBSECTION (C)(1) AND (2) OF THIS~~
6 ~~SECTION; OR~~

7 ~~2.~~ ~~IF THE STATE BOARD ACQUIRES ELECTION SYSTEMS BY~~
8 ~~PURCHASE OR OTHER ONE TIME PAYMENT MECHANISM;~~

9 ~~A.~~ ~~FOR ANY OF THE FIRST SIX YEARS OF A SYSTEM'S USE~~
10 ~~FOLLOWING THE PURCHASE, ONE SIXTH OF THE STATE BOARD'S TOTAL PURCHASE~~
11 ~~COST, NET OF ANY FEDERAL CONTRIBUTIONS, UNDER SUBSECTION (C)(1) OF THIS~~
12 ~~SECTION; AND~~

13 ~~B.~~ ~~THE ANNUAL COST TO THE STATE, NET OF ANY FEDERAL~~
14 ~~CONTRIBUTIONS, FOR ONGOING OPERATION AND MAINTENANCE UNDER~~
15 ~~SUBSECTION (C)(2) OF THIS SECTION.~~

16 ~~(2)~~ ~~FOR FISCAL YEAR 2003 AND EACH FISCAL YEAR THEREAFTER, THE~~
17 ~~STATE BOARD MAY REQUEST PAYMENT FROM EACH COUNTY IN ACCORDANCE WITH~~
18 ~~THE PROVISIONS OF THIS SUBSECTION.~~

19 ~~(3)~~ ~~(I)~~ ~~UPON REQUEST BY THE STATE BOARD, EACH COUNTY SHALL~~
20 ~~PAY ITS SHARED COST COMPONENT AS DETERMINED UNDER THIS PARAGRAPH.~~

21 ~~(II)~~ ~~FOR EACH COUNTY RECEIVING VOTING SYSTEMS FROM THE~~
22 ~~STATE BOARD, THE COUNTY SHARED COST COMPONENT IS THE LESSER OF:~~

23 ~~1.~~ ~~ONE HALF OF THE PRODUCT OF:~~

24 ~~A.~~ ~~THE STATE'S TOTAL SHARED COSTS PER VOTING~~
25 ~~MACHINE; AND~~

26 ~~B.~~ ~~THE NUMBER OF VOTING MACHINES ACQUIRED BY THE~~
27 ~~STATE BOARD FOR USE IN THE COUNTY; AND~~

28 ~~2.~~ ~~THE COUNTY'S PRIOR LEASE COSTS.~~

29 ~~(III)~~ ~~NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH,~~
30 ~~THE STATE BOARD MAY NOT REQUEST PAYMENT FROM A COUNTY IF THAT COUNTY,~~
31 ~~WITHIN THE PRECEDING 10 YEARS, PURCHASED VOTING SYSTEMS THAT WERE~~
32 ~~CERTIFIED BY THE STATE BOARD.~~

33 ~~(4)~~ ~~(I)~~ ~~IN THE ABSENCE OF AN AGREEMENT BETWEEN THE STATE~~
34 ~~BOARD AND THE GOVERNING BODY OF A COUNTY, THE STATE BOARD SHALL~~
35 ~~PROVIDE FUNDING ASSISTANCE TO A COUNTY AS SPECIFIED IN THIS PARAGRAPH.~~

1 ~~(II) FOR A COUNTY WHICH PURCHASED A VOTING SYSTEM THAT~~
 2 ~~MEETS THE SPECIFICATIONS OF THE ADOPTED STATEWIDE VOTING SYSTEM, THE~~
 3 ~~STATE BOARD SHALL PROVIDE FUNDING IN AN AMOUNT EQUIVALENT TO ONE HALF~~
 4 ~~THE ANNUAL PAYMENT AMOUNT BORNE BY THAT COUNTY FOR ITS VOTING SYSTEM~~
 5 ~~PURCHASE.~~

6 ~~(III) THE FUNDING UNDER THIS PARAGRAPH SHALL REMAIN FOR AS~~
 7 ~~MANY YEARS AS THE JURISDICTION'S ORIGINAL PAYMENTS FOR ITS VOTING SYSTEM~~
 8 ~~PURCHASE.~~

9 9-102.

10 (a) [The State Board shall adopt regulations for the review, certification, and
 11 decertification of voting systems.

12 (b) The State Board shall periodically review [certified voting systems] and
 13 evaluate alternative voting systems.

14 {(c)} ~~(B)~~ The State Board may not {certify} ~~SELECT~~ a voting system unless
 15 the State Board determines that:

16 (1) The voting system will:

17 (i) Protect the secrecy of the ballot;

18 (ii) Protect the security of the voting process;

19 (iii) Count and record all votes accurately;

20 (iv) Accommodate any ballot used under this article; ~~and~~

21 (v) Protect all other rights of voters and candidates; AND

22 (VI) BE CAPABLE OF CREATING A PAPER RECORD OF ALL VOTES
 23 CAST IN ORDER THAT AN AUDIT TRAIL IS AVAILABLE IN THE EVENT OF A RECOUNT;

24 (2) The voting system has been:

25 (i) Examined by an independent testing laboratory that is
 26 approved by the National Association of State Election Directors; and

27 (ii) Shown by the testing laboratory to meet the performance and
 28 test standards for electronic voting systems established by the Federal Election
 29 Commission; and

30 (3) The public interest will be served by the {certification} ~~SELECTION~~ of
 31 the voting system.

32 {(d)} ~~(C)~~ In determining whether a voting system meets the required
 33 standards, the State Board shall consider:

- 1 (1) The commercial availability of the system and its replacement parts
2 and components;
- 3 (2) The availability of continuing service for the system;
- 4 (3) The cost of implementing the system;
- 5 (4) The efficiency of the system;
- 6 (5) The likelihood of breakdown;
- 7 (6) The system's ease of understanding for the voter;
- 8 (7) The convenience of voting afforded by the system;
- 9 (8) The timeliness of the tabulation and reporting of election returns;
- 10 (9) The potential for an alternative means of verifying the tabulation;
- 11 (10) Accessibility for ALL disabled voters ~~AS PROVIDED UNDER WITH~~
12 DISABILITIES RECOGNIZED BY THE AMERICANS WITH DISABILITIES ACT; and
- 13 (11) Any other factor that the State Board considers relevant.
- 14 ~~{(e)}~~ ~~(D)~~ (1) The State Board shall adopt regulations relating to
15 requirements for ~~each~~ [certified] ~~THE~~ voting system[, including a voting system
16 deemed certified under subsection (f) of this section, governing its operation and use]
17 SELECTED AND CERTIFIED UNDER § 9-101 OF THIS SUBTITLE.
- 18 (2) The regulations shall specify the procedures necessary to assure that
19 the standards of this title are maintained, including:
- 20 (i) A description of the voting system;
- 21 (ii) A public information program by the local board, at the time of
22 introduction of a new voting system, to be directed to all voters, candidates, campaign
23 groups, schools, and news media in the county;
- 24 (iii) Local election officials' responsibility for management of the
25 system;
- 26 (iv) The actions required to assure the security of the voting system;
- 27 (v) The supplies and equipment required;
- 28 (vi) The storage, delivery, and return of the supplies and equipment
29 necessary for the operation of the voting system;
- 30 (vii) Standards for training election officials in the operation and use
31 of the voting system;

1 (viii) Before each election and for all ballot styles to be used, testing
2 by the members of the local board to ensure the accuracy of tallying, tabulation, and
3 reporting of the vote, and observing of that testing by representatives of political
4 parties and of candidates who are not affiliated with political parties;

5 (ix) The number of voting stations or voting booths required in each
6 polling place, in relation to the number of registered voters assigned to the polling
7 place;

8 (x) The practices and procedures in each polling place appropriate
9 to the operation of the voting system;

10 (xi) Assuring ballot accountability in systems using a document
11 ballot;

12 (xii) The actions required to tabulate votes; and

13 (xiii) Postelection review and audit of the system's output.

14 ~~{~~(3) Certification of a voting system is not effective until the regulations
15 applicable to the voting system have been adopted.

16 [(f) (1) Except as provided in paragraph (2) of this subsection, a voting
17 system authorized by law before July 1, 1978, including the use of paper ballots, shall
18 be deemed certified.

19 (2) On or after January 1, 2002, a voting system that uses mechanical
20 lever machines may not be deemed certified.]

21 ~~§~~9-103.

22 (a) The State Board:

23 (1) May decertify a voting system previously certified if the State Board
24 determines that the system no longer merits certification; and

25 (2) Shall decertify a previously certified voting system if the voting
26 system no longer meets one or more of the standards in § 9-102(c)(1)(i) through (iii) of
27 this subtitle.

28 (b) The State Board shall determine the effective date and conditions of the
29 decertification.

30 [(c) Decertification under this section does not apply to a county if its local
31 board has acted in reliance upon the certification of the system involved and the
32 decertification would have a significant and adverse impact, unless:

33 (1) The local board and the governing body of the county consent to the
34 decertification; or

1 (2) The State Board determines that the system no longer meets the
2 standards set forth in § 9-102(c)(1)(i) through (iii) of this subtitle.

3 (d) (1) Except as provided in paragraph (2) of this subsection, a voting
4 system that is deemed certified under § 9-102(f) of this subtitle may not be
5 decertified by the State Board.

6 (2) On January 1, 2002, the State Board shall decertify a mechanical
7 lever voting machine.]

8 ~~{9-104.~~

9 ~~The State Board shall notify the local boards of each system that is:~~

10 (1) ~~Under review for possible certification;~~

11 (2) ~~Under review for possible decertification;~~

12 (3) ~~Certified; or~~

13 (4) ~~Decertified.]~~

14 ~~{9-105.} 9-103. 9-104.~~

15 (a) [(1) Members of a local board, in consultation with the election director,
16 may select a voting system.

17 (2)] Acquisition of a voting system shall be by purchase, lease, or rental
18 and shall be exempt from State, county, or municipal taxation.

19 (b) (1) A local board may lease a voting system to any governmental or
20 nongovernmental entity within the county.

21 (2) The local board shall determine the terms and conditions of the lease.

22 (3) The local board shall pay to the governing body of the county, within
23 30 days of receipt, the proceeds of the lease.

24 ~~{9-106.} 9-104. 9-105.~~

25 (a) ~~The governing body of a county may borrow money to fund the purchase~~
26 ~~ACQUISITION of a voting system through the issuance of individual notes, bonds, or~~
27 ~~evidences of indebtedness.~~

28 (b) (1) ~~When a county governing body issues general obligation bonds to~~
29 ~~purchase ACQUIRE a voting system, the bonds may be issued without regard to any~~
30 ~~limitations on the borrowing power of the county.~~

31 (2) ~~The bonds of each issue shall be dated, shall bear interest at such~~
32 ~~rate or rates, and shall mature at the time or times, as determined by the governing~~
33 ~~body of the county. They may be made redeemable before maturity at the option of the~~

1 governing body at the price or prices and under the terms and conditions fixed by the
2 governing body prior to the issuance of the bonds. The governing body shall determine
3 the form of the bonds, including any interest coupons to be attached to them, and
4 shall fix the denomination or denominations of the bonds and the place or places of
5 payment of principal and interest, which may be at any bank or trust company in or
6 outside the State. The bonds shall be signed by the officer or officers of the county
7 issuing them, the seal of the county shall be affixed to them and attested in the
8 manner, and any coupons attached to them shall bear the facsimile signature of the
9 officer as the governing body determines. In case any officer whose signature or a
10 facsimile of whose signature appears on any bonds or coupons shall cease to hold the
11 office before the delivery of the bonds, the signature or facsimile shall nevertheless be
12 valid and sufficient for all purposes the same as if he had remained in office until
13 delivery. All bonds issued under the provisions of this section shall have and are
14 hereby declared to have all the qualities and incidents of negotiable instruments
15 under the Maryland Uniform Commercial Code. The bonds may be issued in coupon
16 or in registered form, or both, as the governing body determines, and provision may
17 be made for the registration of any coupon bonds as to principal alone and also as to
18 both principal and interest, and for the reconversion into coupon bonds of any bonds
19 registered as to both principal and interest. The governing body may sell the bonds in
20 the manner, either at public or private sale, for the price it may determine to be for
21 the best interest of the county. The provisions of Article 31, §§ 9 through 11 of the
22 Code do not apply to bonds issued under the provisions of this section.

23 (3) The entire proceeds from the sale of bonds issued under the
24 provisions of this section, after payment of all costs and expenses incurred in
25 connection with the preparation, sale, and delivery of the bonds, shall be used solely
26 for the payment of the cost of the voting system for the purchase ACQUISITION of
27 which the bonds are issued. Any balance remaining after the purchase ACQUISITION
28 of the voting system shall be used to pay the interest on or to redeem any of the bonds.

29 (4) In order to pay the principal of and interest on the bonds when and as
30 they become due and payable, the governing body is authorized and directed to levy,
31 in each year in which any of the bonds are outstanding, upon the taxable basis of said
32 county a tax sufficient in rate and amount (i) if the bonds are issued in series
33 maturing at stated periods and a portion of the principal is made payable annually, to
34 pay the interest and the portion of the principal payable in that year; or (ii) if the
35 bonds are not issued in series, but are payable or redeemable in whole at a fixed rate
36 of maturity, to pay the interest on the bonds in that year and to produce a sum
37 sufficient to accumulate a sinking fund for the redemption and payment of the bonds
38 at maturity. The proceeds of the levy when collected and paid shall be used only for
39 the purposes for which the levy was made; however, if the interest on the bonds
40 matures before the levy, or before a sufficient amount of taxes levied for the purpose
41 of paying the interest is collected, the governing body may pay the interest out of the
42 proceeds of the sale of the bonds.

43 (e) The bonds issued, their transfer, and the income from them shall be
44 exempt from the State, county, or municipal taxation.

1 [9-107.] ~~9-105, 9-106.~~

2 (a) ~~On~~ EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, ON or
3 after January 1, 2002, a county may not use mechanical lever voting machines to
4 conduct elections.

5 (b) Until January 1, 2002, if a county uses mechanical lever voting machines
6 to conduct elections, the members of the local board:

7 (1) Shall appoint a voting machine custodian and a deputy custodian;
8 and

9 (2) May employ additional deputy custodians.

10 (c) The voting machine custodian and deputy custodians shall have the duties,
11 and complete any training program, specified in regulations adopted by the State
12 Board.

13 (D) ~~THE PROVISIONS OF THIS SECTION DO NOT APPLY IN A COUNTY UNTIL A~~
14 UNTIL:

15 (1) ~~A STATEWIDE UNIFORM STATEWIDE VOTING SYSTEM FOR VOTING IN~~
16 POLLING PLACES IS SELECTED AND CERTIFIED BY THE STATE BOARD UNDER THE
17 PROVISIONS OF §§ § 9-101 AND 9-102 OF THIS SUBTITLE AND SUBTITLE; AND

18 (2) ~~THE LOCAL BOARD IN THE COUNTY HAS ACQUIRED THE VOTING~~
19 SYSTEM IS AVAILABLE FOR USE BY THE VOTERS IN THE COUNTY.

20 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 5 of
21 this Act, each county shall pay its share of one-half of the State's cost of acquiring and
22 operating the uniform statewide voting systems for voting in polling places and for
23 absentee voting provided for under this Act, including the cost of maintenance, storage,
24 printing of ballots, technical support and programming, related supplies and
25 materials, and software licensing fees. A county's share of the cost of acquiring and
26 operating the uniform statewide voting systems shall be based upon the county's voting
27 age population.

28 SECTION 5. AND BE IT FURTHER ENACTED, That:

29 (a) A county that has purchased a voting system for voting at polling places
30 within the last 10 years and before December 31, 2000 is not required to implement the
31 uniform statewide voting system for voting at polling places provided for under this
32 Act until July 1, 2006, and is not required to pay a share of the cost of acquiring and
33 operating the uniform statewide voting system for voting at polling places until the
34 system is implemented in the county; and

35 (b) A county that has purchased a voting system for absentee voting within the
36 last 10 years and before December 31, 2000 is not required to implement the uniform
37 statewide system for absentee voting provided for under this Act until July 1, 2006.

1 and is not required to pay a share of the cost of acquiring and operating the uniform
2 statewide system for absentee voting until the system is implemented in the county.

3 SECTION 6. AND BE IT FURTHER ENACTED, That fifty percent of any
4 federal funds received for improvements in voting systems and equipment shall be
5 distributed to the State and fifty percent of any federal funds received for
6 improvements in voting systems and equipment shall be distributed, on the basis of a
7 county's voting age population, to the counties that have implemented the uniform
8 statewide voting system provided for under this Act in the fiscal year in which the
9 funds are received.

10 SECTION ~~2.~~ 7. AND BE IT FURTHER ENACTED, That this Act shall take
11 effect June 1, 2001.