

SENATE BILL 557

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9lr2672

By: **Senators Dyson, Lenett, Conway, Currie, DeGrange, Exum, Forehand, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Klausmeier, Madaleno, McFadden, Middleton, Miller, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Stone, and Zirkin**

Introduced and read first time: February 5, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Implementation of Early Voting and Polling Places**

3 FOR the purpose of establishing a process to allow voters in the State to vote in
4 elections at early voting polling places, instead of voting in the voters' assigned
5 precinct on election day; authorizing a voter to vote by provisional ballot at any
6 polling place in the State on election day; requiring each county to have a
7 specified number of early voting polling places, based on the number of
8 registered voters in the county; requiring the State Board of Elections, in
9 collaboration with the local board of elections in a county, to designate the early
10 voting polling places in that county; requiring early voting polling places to be
11 open for voting during a certain period and during certain hours; requiring each
12 early voting polling place to meet certain requirements; requiring the State
13 Board and the local boards to undertake certain steps to inform voters about
14 early voting and the location of early voting polling places; making certain
15 provisions of law applicable to early voting; requiring the State Board to adopt
16 certain regulations and guidelines; requiring local boards to pay an election
17 judge for each early voting day that the election judge actually serves; and
18 generally relating to early voting in elections in the State.

19 BY repealing and reenacting, without amendments,
20 Article – Election Law
21 Section 10–101 and 10–203
22 Annotated Code of Maryland
23 (2003 Volume and 2008 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article – Election Law
26 Section 10–205

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2003 Volume and 2008 Supplement)

3 BY adding to
4 Article – Election Law
5 Section 10–301.1
6 Annotated Code of Maryland
7 (2003 Volume and 2008 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article – Election Law**

11 10–101.

12 (a) (1) Each local board shall designate a polling place that meets the
13 requirements of this subsection for each precinct in the county as established by the
14 local board in accordance with Title 2 of this article.

15 (2) Each polling place shall:

16 (i) provide an environment that is suitable to the proper
17 conduct of an election;

18 (ii) be located as conveniently as practicable for the majority of
19 registered voters assigned to that polling place;

20 (iii) except as authorized in paragraph (4) of this subsection, be
21 in a public building;

22 (iv) be in the precinct that it serves unless no suitable location
23 for a polling place can be found within that precinct, in which case the board may
24 establish the polling place in an adjacent precinct; and

25 (v) whenever practicable, be selected and arranged to avoid
26 architectural and other barriers that impede access or voting by elderly and physically
27 disabled voters.

28 (3) (i) The public official responsible for the use of any public
29 building requested by a local board for a polling place shall make available to the local
30 board, without charge, the space that is needed in the building for the proper conduct
31 of an election.

32 (ii) Light, heat, and custodial and janitorial services for the
33 space shall be provided to the local board without charge.

1 (2) supervise the staff at the polling place.

2 (c) The term of office for an election judge continues until the Tuesday that
3 is 13 weeks before the next statewide primary election unless:

4 (1) the local board excuses the person for good cause; or

5 (2) a special election is held during the election judge's term of office
6 and the State Board determines that a local board may not need the service of all of
7 the appointed election judges.

8 (d) A local board shall fill each vacant election judge position in the same
9 manner as set forth in subsection (a) of this section.

10 10–205.

11 (a) (1) A local board may fix the compensation of election judges within
12 the limits authorized for this purpose by the county's governing body.

13 (2) **A LOCAL BOARD SHALL PAY AN ELECTION JUDGE FOR EACH**
14 **ELECTION DAY AND EACH EARLY VOTING DAY THAT THE ELECTION JUDGE**
15 **ACTUALLY SERVES.**

16 (b) (1) In Allegany County, the compensation for each day actually served
17 may not be less than:

18 (i) \$100 per day for each chief election judge; and

19 (ii) \$80 per day for every other election judge.

20 (2) (i) In Baltimore City, the compensation for each election day
21 **OR EARLY VOTING DAY** actually served shall be:

22 1. not less than \$200 per day for each chief election
23 judge; and

24 2. not less than \$150 per day for every other election
25 judge.

26 (ii) 1. In Baltimore City, except as provided in
27 subparagraph 2 of this subparagraph, an election judge shall receive \$20 as
28 compensation for completing the course of instruction required under § 10–206(g)(1) of
29 this subtitle.

1 2. Unless the local board excuses the election judge from
2 service, an election judge who fails to serve on election day **OR EARLY VOTING DAY**
3 may not receive the compensation authorized under this subparagraph.

4 (3) In Baltimore County, the compensation for each election day **OR**
5 **EARLY VOTING DAY** actually served shall be:

6 (i) \$225 per day for each chief election judge; and

7 (ii) \$162.50 per day for every other election judge.

8 (4) In Calvert County, the compensation for each election day **OR**
9 **EARLY VOTING DAY** actually served shall be:

10 (i) \$125 per day for each chief election judge; and

11 (ii) \$100 per day for every other election judge.

12 (5) In Harford County, the compensation for each election day **OR**
13 **EARLY VOTING DAY** actually served shall be:

14 (i) not less than \$160 per day for each chief election judge; and

15 (ii) not less than \$125 per day for every other election judge.

16 (6) (i) In Prince George's County, the compensation for each
17 election day **OR EARLY VOTING DAY** actually served shall be not less than:

18 1. \$250 per day for two chief election judges; and

19 2. \$200 per day for every other election judge.

20 (ii) 1. In Prince George's County, except as provided under
21 subsubparagraph 2 of this subparagraph, election judges and alternate election judges
22 shall receive \$50 as compensation for completing the course of instruction required
23 under § 10-206 of this subtitle.

24 2. An election judge or alternate election judge may not
25 receive the compensation authorized under this subparagraph if the election judge
26 refuses to serve on an election day **OR EARLY VOTING DAY**, unless the local board
27 excuses the election judge.

28 (7) (i) In Washington County, the compensation for each election
29 day **OR EARLY VOTING DAY** actually served shall be:

30 1. \$175 per day for each chief election judge, plus a
31 mileage allowance as determined by the Washington County Board; and

1 2. \$150 per day for every other election judge.

2 (ii) In Washington County, a chief election judge or election
3 judge who successfully completes a course of instruction in poll working shall be
4 eligible for additional compensation, if approved by the Washington County Board and
5 provided for in the county budget.

6 **10-301.1.**

7 **(A) EXCEPT AS PROVIDED UNDER TITLE 9, SUBTITLE 3 OF THIS**
8 **ARTICLE, A VOTER MAY VOTE:**

9 **(1) IN THE VOTER'S ASSIGNED PRECINCT ON ELECTION DAY;**

10 **(2) BY PROVISIONAL BALLOT AT ANY POLLING PLACE IN THE**
11 **STATE ON ELECTION DAY; OR**

12 **(3) AT AN EARLY VOTING POLLING PLACE IN THE VOTER'S**
13 **COUNTY OF RESIDENCE ON ANY EARLY VOTING DAY IN ACCORDANCE WITH THIS**
14 **SECTION.**

15 **(B) (1) EACH COUNTY SHALL HAVE AT LEAST ONE EARLY VOTING**
16 **POLLING PLACE ESTABLISHED IN THE COUNTY AS PRESCRIBED IN THIS**
17 **SUBSECTION.**

18 **(2) A COUNTY WITH FEWER THAN 150,000 REGISTERED VOTERS**
19 **SHALL HAVE ONE EARLY VOTING POLLING PLACE ESTABLISHED IN THE**
20 **COUNTY.**

21 **(3) A COUNTY WITH MORE THAN 150,000 BUT FEWER THAN**
22 **300,000 REGISTERED VOTERS SHALL HAVE THREE EARLY VOTING POLLING**
23 **PLACES ESTABLISHED IN THE COUNTY.**

24 **(4) A COUNTY WITH MORE THAN 300,000 REGISTERED VOTERS**
25 **SHALL HAVE FIVE EARLY VOTING POLLING PLACES ESTABLISHED IN THE**
26 **COUNTY.**

27 **(C) THE STATE BOARD, IN COLLABORATION WITH THE LOCAL BOARD IN**
28 **EACH COUNTY, SHALL DESIGNATE EACH EARLY VOTING POLLING PLACE IN**
29 **THAT COUNTY.**

30 **(D) EACH EARLY VOTING POLLING PLACE SHALL BE OPEN FOR VOTING:**

1 **(1) BEGINNING THE SECOND FRIDAY BEFORE A PRIMARY OR**
2 **GENERAL ELECTION THROUGH THE FRIDAY BEFORE THE ELECTION, BUT**
3 **EXCLUDING SUNDAY; AND**

4 **(2) DURING THE HOURS BETWEEN 7 A.M. AND 8 P.M.**

5 **(E) EACH EARLY VOTING POLLING PLACE SHALL MEET THE**
6 **REQUIREMENTS OF § 10-101 OF THIS TITLE.**

7 **(F) BEGINNING 30 DAYS PRIOR TO EACH EARLY VOTING PERIOD THE**
8 **STATE BOARD AND EACH LOCAL BOARD SHALL UNDERTAKE STEPS TO INFORM**
9 **THE PUBLIC ABOUT EARLY VOTING AND THE LOCATION OF EARLY VOTING**
10 **POLLING PLACES IN THE RESPECTIVE COUNTY, INCLUDING:**

11 **(1) A SERIES OF PUBLIC SERVICE MEDIA ANNOUNCEMENTS;**

12 **(2) MAILINGS TO ALL REGISTERED VOTERS IN EACH COUNTY; AND**

13 **(3) OTHER MEASURES AS APPROPRIATE.**

14 **(G) THE STATE BOARD SHALL ADOPT REGULATIONS AND GUIDELINES**
15 **IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR THE**
16 **CONDUCT OF EARLY VOTING.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2009.