

# SENATE BILL 406

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By: **Senators Peters, Benson, Currie, Muse, Ramirez, and Rosapepe**

Introduced and read first time: January 27, 2017

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voting System – Optical Scanners in Prince George’s County**

3 FOR the purpose of requiring the State Board of Elections to include a certain number of  
4 optical scanners for each polling place in Prince George’s County as part of the voting  
5 system for voting in polling places; and generally relating to optical scanners in  
6 polling places in Prince George’s County.

7 BY repealing and reenacting, with amendments,  
8 Article – Election Law  
9 Section 9–101 and 9–102(i)  
10 Annotated Code of Maryland  
11 (2010 Replacement Volume and 2016 Supplement)

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

### Article – Election Law

14 9–101.

16 (a) The State Board, in consultation with the local boards, shall select and certify  
17 a voting system for voting in polling places and a voting system for absentee voting.

18 (b) The voting system selected and certified for voting in polling places and the  
19 voting system selected and certified for absentee voting shall be used in all counties.

20 (c) **(1)** The State Board shall acquire:

21 **[(1)] (I)** the voting system selected and certified for voting in polling  
22 places; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1            [(2)] (II) the voting system selected and certified for absentee voting.

2            **(2) THE STATE BOARD SHALL INCLUDE AT LEAST TWO OPTICAL**  
3 **SCANNERS FOR EACH POLLING PLACE IN PRINCE GEORGE'S COUNTY WITH THE**  
4 **VOTING SYSTEM ACQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.**

5 9–102.

6            (i) (1) The State Board shall adopt regulations relating to requirements for  
7 each voting system selected and certified under § 9–101 of this subtitle.

8            (2) The regulations shall specify the procedures necessary to assure that  
9 the standards of this title are maintained, including:

10                    (i) a description of the voting system;

11                    (ii) a public information program by the local board, at the time of  
12 introduction of a new voting system, to be directed to all voters, candidates, campaign  
13 groups, schools, and news media in the county;

14                    (iii) local election officials' responsibility for management of the  
15 system;

16                    (iv) the actions required to assure the security of the voting system;

17                    (v) the supplies and equipment required, **INCLUDING THE**  
18 **SUPPLEMENTAL EQUIPMENT SPECIFIED UNDER § 9–101(C)(2) OF THIS SUBTITLE;**

19                    (vi) the storage, delivery, and return of the supplies and equipment  
20 necessary for the operation of the voting system;

21                    (vii) standards for training election officials in the operation and use  
22 of the voting system;

23                    (viii) before each election and for all ballot styles to be used, testing by  
24 the members of the local board to ensure the accuracy of tallying, tabulation, and reporting  
25 of the vote, and observing of that testing by representatives of political parties and of  
26 candidates who are not affiliated with political parties;

27                    (ix) the number of voting stations or voting booths required in each  
28 polling place, in relation to the number of registered voters assigned to the polling place;

29                    (x) the practices and procedures in each polling place appropriate to  
30 the operation of the voting system;

1 (xi) assuring ballot accountability in systems using a document  
2 ballot;

3 (xii) the actions required to tabulate votes; and

4 (xiii) postelection review and audit of the system's output.

5 (3) Certification of a voting system is not effective until the regulations  
6 applicable to the voting system have been adopted.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2017.