G1 1lr2263

By: Delegate Washington

Introduced and read first time: February 2, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

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Election Law - Absentee Ballot Delivery and Marking

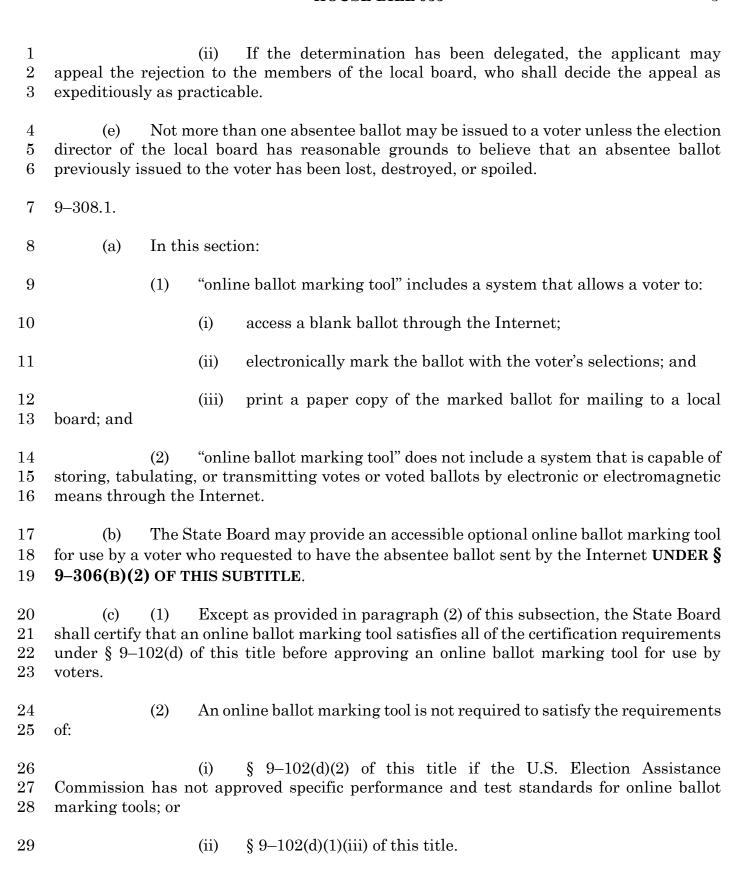
- 3 FOR the purpose of repealing a provision of law requiring a local board of elections to provide an absentee ballot by facsimile transmission if requested by a voter; altering 4 5 a certain provision of law to require a local board to provide an absentee ballot by 6 the Internet only if requested by certain voters, rather than to any voter on request; 7 authorizing the State Board to provide an accessible optional online ballot marking 8 tool for use by certain voters, rather than by any voter, who request to have an 9 absentee ballot sent by the Internet; and generally relating to absentee ballot delivery and marking. 10
- 11 BY repealing and reenacting, with amendments,
- 12 Article Election Law
- 13 Section 9–306 and 9–308.1
- 14 Annotated Code of Maryland
- 15 (2017 Replacement Volume and 2020 Supplement)
- 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 17 That the Laws of Maryland read as follows:

18 Article - Election Law

- 19 9-306.
- 20 (a) Promptly after receipt of an application, the election director shall review the 21 application and determine whether the applicant qualifies to vote by absentee ballot.
- 22 (b) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF the applicant qualifies to vote by absentee ballot, the local board shall provide the ballot by one of the following methods requested by the voter:



1		[(1)]	(I)	mail; OR
2		[(2)	facsir	mile transmission;
3		(3)	the Ir	nternet; or
4		(4)]	(II)	by hand during an in-person transaction.
5		(2)	(I)	THIS PARAGRAPH APPLIES ONLY TO:
6 7 8	1. AN ABSENT UNIFORMED SERVICES VOTER OR OVERSEAS VOTER AS DEFINED IN THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT;			
9 10 11	2. A VOTER WITH A DISABILITY AS DEFINED IN THE AMERICANS WITH DISABILITIES ACT WHO IS UNABLE TO MARK A BALLOT INDEPENDENTLY BY HAND; AND			
12 13	3. ANY OTHER VOTER WHO WOULD BE UNABLE TO VOTE IF THE VOTER COULD NOT RECEIVE AN ABSENTEE BALLOT ELECTRONICALLY.			
14 15	(II) THE LOCAL BOARD SHALL PROVIDE AN ABSENTEE BALLOT BY ONE OF THE FOLLOWING METHODS REQUESTED BY THE VOTER:			
16				1. MAIL;
17				2. BY HAND DURING AN IN-PERSON TRANSACTION; OR
18				3. THE INTERNET.
19 20	(c) qualified app			s are available, the local board shall provide the ballot to a
21		(1)	as soc	on as practicable after receipt of the request; or
22 23	duly authori	(2) zed ag		ediately for an in-person transaction with a voter or the voter's
24 25 26		-	abser	e members of the local board determine that the applicant is not native ballot, the local board shall notify the applicant as soon as of the application of the reasons for the rejection.
27 28	paragraph (I	(2) l) of th	(i) iis sub	The local board may delegate the determination under section to the staff of the local board.



30 (d) (1) This subsection applies if an online ballot marking tool utilizes a bar 31 code that is used to generate a ballot that is acceptable for machine tabulation.

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- 1 (2) A local board shall compare the vote in each contest on the ballot 2 marked by the voter to the vote in each contest on the ballot generated from the bar code 3 during the canvass.
 - (3) If there is a discrepancy in any contest between the vote on the ballot marked by the voter and the vote on the ballot generated from the bar code, the vote on the ballot marked by the voter shall be considered valid and shall be counted.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June $8\,\,$ 1, 2021.