

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 670

(Senator Kagan)

Education, Energy, and the Environment

Government, Labor, and Elections

Election Law - Authority at Polling Places, Early Voting Centers, and Counting Centers - Revisions

This bill provides certain authority to the State Administrator of Elections, the Deputy State Administrator, and a local election director, in a polling place, that is similar to existing authority of election judges, including the authority to (1) keep the peace and (2) order the arrest of any person who breaches the peace or any provision of the Election Law Article. The bill also alters provisions that govern the designation, rights, and actions of challengers and watchers and the designation of canvass observers, including by (1) authorizing the designation of accredited challengers or watchers to serve at early voting centers (in addition to polling places); (2) replacing the authorization for any group of voters supporting or opposing a candidate, principle, or proposition on the ballot to designate accredited challengers or watchers, and canvass observers, with an authorization for a political committee to designate such individuals; (3) authorizing persons engaging in independent political spending to designate accredited challengers or watchers and canvass observers; (4) requiring a designating person to submit a copy of the certificate of an accredited challenger or watcher to the appropriate local board of elections; and (5) prohibiting a challenger or watcher from physically handling voting equipment. **The bill takes effect June 1, 2026.**

Fiscal Summary

State Effect: None.

Local Effect: The bill is not expected to directly affect local government finances.

Small Business Effect: None.

Analysis

Bill Summary:

Authority at a Polling Place

The bill authorizes the State Administrator of Elections, the Deputy State Administrator, or a local election director, in a polling place, to (1) keep the peace and (2) order the arrest of any person who breaches the peace, breaches any provision of the Election Law Article, or interferes with the work of the election judges in conducting the election and carrying out their assigned tasks.

The bill also requires a local election director, while serving in a polling place, to protect a challenger or watcher in the exercise of their rights. A local election director is not required to admit a challenger or watcher to a polling place before the polls open if the challenger or watcher was not present at the polling place at least 30 minutes before its opening. A local election director may require challengers and watchers to leave a polling place before it opens if the local election director has reason to believe that the presence of the challengers and watchers will prevent the timely opening of the polling place.

The bill establishes that a local election director may exercise the above authority independent of an election judge assigned to the polling place.

A police officer who is on duty at a polling place must obey the order of the State Administrator, Deputy State Administrator, or a local election director and is fully protected in making an arrest under such an order as if the officer received a valid warrant to make the arrest.

Designation, Rights, and Actions of Challengers and Watchers

The bill alters provisions that govern the designation, rights, and actions of challengers and watchers. Specifically, the bill:

- clarifies that a registered voter who has been designated as a challenger or watcher is an “accredited” challenger or watcher;
- authorizes the designation of registered voters to serve as accredited challengers or watchers at early voting centers in addition to polling places, and authorizes an election judge to allow a nonaccredited challenger or watcher to enter an early voting center (in addition to a polling place) to challenge the right of an individual to vote;

- modifies the persons who have the right to designate a registered voter as an accredited challenger or watcher by (1) replacing the right of “any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot” to designate accredited challengers or watchers, with the right of “a political committee” to designate accredited challengers or watchers and (2) adding the right of “a person required to file reports under § 13-306 (governing disclosure of independent expenditures) or § 13-307 (governing disclosure of disbursements for electioneering communications) of the Election Law Article” to designate accredited challengers or watchers;
- establishes that a candidate only has the right to designate an accredited challenger or watcher for a location where the candidate is included on the ballot;
- requires a designating person to submit a copy of the certificate of an accredited challenger or watcher (evidence of the right of the challenger or watcher to be present in the voting room) to the appropriate local board before the challenger or watcher may enter the voting room;
- establishes that a challenger or watcher is prohibited from physically handling voting equipment;
- authorizes a local election director to (1) eject a challenger or watcher who violates specified prohibitions and (2) limit the number of nonaccredited challengers and watchers allowed in the polling place or early voting center at any one time for the purpose of challenging the right of an individual to vote; and
- requires a nonaccredited challenger or watcher to leave the polling place or early voting center as soon as a local election director decides the right to vote of the individual challenged by the challenger or watcher.

Designation of Canvass Observers

The bill alters a provision that governs the designation of authorized observers of the canvass (vote tallying, tabulation, and verification, to produce election results) at each counting center by:

- establishing that a candidate only has the right to designate a registered voter as an observer for a county where the candidate is included on the ballot;
- replacing the right of “any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot” to designate a registered voter as an observer, with the right of “a political committee” to designate a registered voter as an observer; and
- adding the right of “a person required to file reports under § 13-306 (governing disclosure of independent expenditures) or § 13-307 (governing disclosure of disbursements for electioneering communications) of the Election Law Article” to designate a registered voter as an observer.

Current Law:

Authority/Responsibility at a Polling Place

Under the supervision of a chief judge, an election judge must take measures throughout Election Day to ensure that (1) each voter's right to cast a ballot in privacy is maintained; (2) the integrity of the voting process is preserved; (3) the accuracy of the counting process is protected; (4) order in the polling place is maintained; and (5) all election laws are observed.

An election judge must (1) keep the peace and (2) order the arrest of any person who breaches the peace, breaches any provision of the Election Law Article, or interferes with the work of the judges in conducting the election and carrying out their assigned tasks.

An election judge must protect a challenger or watcher in the exercise of their rights. An election judge is not required to admit a challenger or watcher to a polling place before the polls open if the challenger or watcher was not present at the polling place at least 30 minutes before its opening. An election judge may require challengers and watchers to leave a polling place before it opens if a majority of the election judges present agrees that the presence of the challengers and watchers will prevent the timely opening of the polling place.

A police officer on duty at a polling place must obey the order of an election judge at the polling place and is fully protected in making an arrest under an order of an election judge as if the officer had received a valid arrest warrant. A police officer on duty must also protect a challenger or watcher in the discharge of the duties of the challenger or watcher.

Designation, Rights, and Actions of Challengers and Watchers

State law allows for challengers and watchers who are registered voters and designated by the State Board of Elections (SBE), a local board, a candidate, a political party, or any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot to be present at a polling place. A person's right to vote may only be challenged on the basis of their identity.

Challengers and watchers may enter a polling place one-half hour before polls open and remain in the polling place until the polls are closed and election judges leave the polling place. A challenger or watcher may not attempt to (1) ascertain how a voter voted or intends to vote; (2) converse in the polling place with any voter; (3) assist any voter in voting; or (4) physically handle an original election document. An election judge may eject a challenger or watcher who violates any of those prohibitions.

A certificate signed by any party or candidate must be sufficient evidence of the right of a challenger or watcher to be present in the voting room, and SBE must prescribe a form that must be supplied to the challenger or watcher by the designating person or entity.

An election judge may permit an individual who is not an accredited challenger or watcher to enter the polling place to challenge the right to vote of any other individual, after which the individual must leave the polling place. A majority of election judges may limit the number of nonaccredited challengers and watchers allowed in the polling place at any one time and all restrictions on the actions of an accredited challenger or watcher apply to a nonaccredited challenger or watcher. A nonaccredited challenger or watcher must leave the polling place as soon as a majority of the election judges decides the right to vote of the individual challenged by the challenger or watcher.

Provisions Applicable to Early Voting

Statutory provisions governing early voting establish that, except as expressly provided under those provisions, any provision of the Election Law Article that applies to voting on Election Day also applies to early voting.

Canvass Observers

Statute establishes that a board of canvassers (a local board of elections that has organized itself for the purpose of canvassing the vote) and the staff of a local board may be observed as they complete each part of the canvass by authorized, designated observers and any other individuals who wish to be present. The following individuals or entities have the right to designate a registered voter as an observer at each counting center: (1) a candidate; (2) a political party; and (3) any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot. SBE may adopt regulations prohibiting public observation of a part of the canvass only if it is necessary to ensure (1) the integrity or accuracy of the canvass or (2) that the canvass process is not impeded.

Definition of a "Political Committee"

Under the Election Law Article, "political committee" means a combination of two or more individuals that has as its major purpose promoting the success or defeat of a candidate, political party, question, or prospective question submitted to a vote at any election.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1001 (Delegate D. Jones) - Government, Labor, and Elections.

Information Source(s): Anne Arundel, Baltimore, Charles, Dorchester, Garrett, and Howard counties; Maryland State Board of Elections; Department of Legislative Services

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