



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**SB101: Election Law - Contested Elections (Election Recounts)**  
**Senate Education, Health, & Environmental Affairs Committee**  
**Wednesday, January 26, 2022 | 1:00 PM**

Some elections have *such* a narrow margin that a government-funded recount seems reasonable. In some races, the margin isn't quite that close, but the candidate may seek the reassurance of accurate results and is willing to put financial resources behind it. And sometimes, a disappointed candidate trails so far behind that a recount would be a waste of time and money.

This is not a hypothetical problem. In 2018, four close Maryland elections were subject to certification by a recount:

- Sara Love defeated Samir Paul by 12 votes (a .02% margin)
  - House of Delegates, District 16
- Johnny Olszewski beat Sen. Jim Brochin by 17 votes (a .03% margin)
  - Baltimore County Executive
- Elizabeth "Liz" Walsh edged out Councilmember Jon Weinstein by 6 votes (a .1% margin)
  - Howard County Council, District 1
- David Blair narrowly lost to Marc Elrich by 77 votes (a .1% margin)
  - Montgomery County Executive

Maryland law does not address the issues related to recount, including fundraising, disclosure, and how to manage publicly-financed campaigns.

[SB101](#) creates a clear framework for the development and financing of a recount. A County will fund a recount if the vote margin is less than .25%. The candidate will be liable if the gap is greater than .25% but less than 5%. If the margin is greater than 5%, no recount is permitted. Specifically, this bill will require:

- Opening a separate campaign bank account for a recount;
- Allowing counties to enforce a maximum contribution amount for publicly funded candidates;
- Filing disclosure reports of monies raised;
- Assessing fees and penalties for late report filing; and
- If funds remain in a publicly-financed campaign-- returning funds to the county first and then to the campaign donors.

**I urge a favorable report on SB101 to establish laws to guide recounts.**