

February 16, 2023

Testimony on SB 379
Election Law - Ballots - Processing and Reporting Procedures
Ways & Means

Position: Favorable

Common Cause Maryland supports SB 379, which would alter procedures for the canvassing of and curing of errors on absentee and provisional ballots and require that all election results (including reports of early, absentee, and provisional votes) be reported by precinct.

Last legislative session, the General Assembly passed identical legislation to give election workers a head start on the pre-processing of ballots - this was in response to increased strain on the mail-in ballot system. Unfortunately, that version of the bill was vetoed by former Governor Larry Hogan at the eleventh hour, leading the State Board to seek emergency relief through the court system ahead of the general election. A Montgomery County Circuit Court judge suspended current Maryland law and allowed candidates to begin canvassing on October 1st of last year, but this was just a temporary solution to a long-term problem that must be corrected through legislation.

According to State Board of Elections data, Maryland voters requested more than 640,000 mail-in ballots during the 2022 general election, and we will likely see this number increase as we head towards the 2024 Presidential elections. With that in mind, it is important that we take necessary measures now to support our State and local election boards in the secure administration of our elections.

During the 2022 election cycle, we also saw more than 2500 mail-in ballots rejected - many of these ballots could have been accepted with a clear process for ballot curing in place. Ballot curing is a process when election officials reach out to voters and give them a chance to fix or “cure” any remediable issues with their submitted ballot, such as missing oaths or signatures. We want to give local boards an adequate window of time to notify and give voters an opportunity to correct these errors, ensuring that those who intend to vote are able to have their ballot counted in that election.

SB 379 provides common sense steps to improve our mail-in voting process, addressing issues that have long been a challenge for voters (especially those in vulnerable communities like voters with disabilities, students, and the elderly) that have relied on this method of voting for years. For these reasons, we request a favorable report.