

SB0379 Ballots - Processing and Reporting FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0379
Election Law - Ballots - Processing and Reporting Procedures

Bill Sponsor: Senator Kagan

Committee: Ways and Means

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0379 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state. We have over 30,000 members across the state.

How we all wish we could turn back the clock and had these procedures on the books for the last election. Because Maryland does not allow for early canvassing of absentee ballots, we were all forced to wait weeks to have the final election results known. In Frederick County, the County Executive race was called for Republican Michael Hough, but as the days trickled by, Democrat Jessica Fitzwater overtook him - all due to the delayed counting of absentee ballots.

This ridiculous delay gives talking points to the election deniers who think there is some great conspiracy to overturn Republican wins, which is completely, utterly false. We need to get rid of this delay and get all the votes counted in a reasonable time, while at the same time allowing people who filed absentee ballots cure them of any mistakes.

The changes that this bill would require are common-sense changes that are desperately needed to make the residents of Maryland have faith that the election process is clean, and results are accurate and timely.

The Maryland Legislative Coalition supports this bill and we recommend a **FAVORABLE** report in Committee.

LWVMD testimony to House - SB 379 - Election Law -

Uploaded by: Janet Millenson

Position: FAV



TESTIMONY TO THE HOUSE WAYS AND MEANS COMMITTEE

SB 379 – Election Law – Ballots – Processing and Reporting Procedures

POSITION: Favorable

BY: Nancy Soreng, President

DATE: March 28, 2023

In 2020 the League of Women Voters of Maryland conducted a study of best practices for a system allowing voters to vote by mail. One of our recommendations as a result of that study is that the canvass of mail-in ballots should be allowed to begin before Election Day. We therefore support Senate Bill 379 because it will put this provision into law, an improvement that both legislators and advocates have supported in previous sessions. According to data from the National Conference of State Legislatures, Maryland is the only state that currently requires mail-in ballot processing to wait until after Election Day (Maryland Election Law, §11–302).

In the General Elections of 2020 and 2022, however, permission to start early canvassing was granted by the courts on an emergency basis based on the anticipated volume of mail-in ballots to be processed. Statewide, that amounted to over half a million ballots in the 2022 General Election, about one-quarter of the total number of ballots cast. In the larger counties, this meant hiring additional canvassers and arranging additional workspaces that were both secure and observable.

Allowing early canvassing will help relieve some of the time pressure on these local Boards of Elections and ensure that results can be certified by the statutory deadline. Note that this bill proposes that even with early processing, results will still be held until the polls close on Election Day.

Maryland should join the rest of the nation in permitting ballot processing to start at a sensible date. We strongly urge a favorable report on Senate Bill 379. We also support the amendment changing the date of the 2024 Primary Election from the fourth Tuesday in April.

SB379_HB535 Crossover - MIB pre-processing.pdf

Uploaded by: Katherine Berry

Position: FAV



Maryland Association of Election Officials

Representing the Local Election Boards of the State of Maryland

Mar 28, 2023

Delegate Vanessa Atterbeary, Chair
Maryland House Ways and Means Committee
Room 131, House Office Building
Annapolis, MD 21401-1991

SB379: Favorable

Chair Atterbeary, Vice Chair Wilkins, and Committee Members:

My name is Katherine Berry, the Election Director in Carroll County, and the chair of the Maryland Association of Election Officials (MAEO) Legislative Committee. I am writing on behalf of MAEO to provide you with testimony and support for SB379 – *Ballot Processing and Reporting Procedures*.

Local boards of election work diligently to have the results of the election reported to the public as promptly and efficiently as possible. This has become complicated as mail-in ballots have become exponentially more popular and well-received among Maryland voters. Mail-in ballot voting and early voting numbers combined now exceed Election Day voting in many Maryland jurisdictions. Our local board offices currently compensate for what has come to be known as “running two elections concurrently,” by taking advantage of the ability to canvass before Early Voting. This is an efficient practice that allows us to present Election Night results.

Our overarching goals are to be accessible and see that every legitimate vote is counted. During an election cycle, curing oath signatures is a daily assignment, and each local board works tirelessly to make the process as seamless as possible for the voter. It would be advantageous to allow the local boards a maximum amount of time to contact the voter, as we strive to also maintain rhythm in processing applications, mailing and receiving ballots, while also preparing for Early Voting and Election Day.

SB379 aptly depicts the adjustments we find necessary to successfully perform our duties as Election Officials. Election Officials all over the state are elated to know that this piece of legislation is being considered because it considers the workload and time constraints that come with implementing greater access and convenience for the voter.

At MAEO, we are committed to performing our jobs with efficiency, effectiveness, and absolute accuracy in the election results. We encourage a favorable report on SB379 in order to further our mission. Thank you for your time. If you have any questions, please contact me at (410) 386-2958 or katherine.berry@maryland.gov.

SB 379 - MoCo_Boucher_FAV_House (GA 23).pdf

Uploaded by: Kathleen Boucher

Position: FAV



Montgomery County

Office of Intergovernmental Relations

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SB 379

DATE: March 28, 2023

SPONSOR: Senator Kagan, et al.

ASSIGNED TO: Ways and Means

CONTACT PERSON: Kathleen Boucher (kathleen.boucher@montgomerycountymd.gov)

POSITION: Support

Election Law – Ballot Processing and Reporting Procedures and 2024 Primary Date

State law currently prohibits a local board of elections from starting the canvass of absentee ballot envelopes before 8:00 a.m. on the Wednesday following Election Day. This bill modifies current law to allow the canvassing of absentee ballots to begin eight business days before the first day of early voting. The bill prohibits local boards from tabulating absentee ballots before the polls open on election day and releasing absentee vote totals before polls close on election day.

The bill creates a process that allows a voter to correct a mistake in failing to sign the oath on a ballot envelope or ballot/return envelope before 10:00 a.m. on the 10th day following Election Day. A local board must, as soon as practicable but no later than three business days after determining that there was a failure to sign the oath, notify a voter of the mistake, provide an opportunity to correct the omission, and outline the methods that may be used by a voter to communicate with a local board to correct the failure. The bill also establishes procedures to be used in counting absentee and provisional ballots cast by the same individual and expands the current requirement that a local board of elections provide an electronic report of Election-day results by precinct to make it applicable to results for early, absentee, and provisional voting.

Montgomery County believes that it serves the public interest to allow canvassing of absentee ballots as soon as possible, allow voters to correct honest mistakes with signature omissions, ensure accurate counting of absentee and provisional ballots, and make all precinct level results electronically available to the public. The County respectfully requests that the Ways and Means Committee give the bill a favorable report.

SB379_CCK_Testimony_W&M.pdf

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN
Legislative District 17
Montgomery County

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB379: Canvassing Reintroduction
House Ways and Means Committee
Tuesday, March 28, 2023 1PM

Former Gov. Larry Hogan's unexpected veto of SB163, an emergency [canvassing bill](#) (2022), caused inexcusable delays in the certification of Primary Election results-- until more than four and a half weeks after Election Day!

Maryland is unique among states in our prohibition on starting to process mail-in ballots until **after** Election Day. Our residents reasonably expect to have their ballots counted accurately, transparently, and in a timely manner. They also expect election results on Election Night-- or very soon afterwards.

Early canvassing has become critical as our laws now allow "no-excuse absentee ballots." More and more Marylanders are choosing to have a ballot mailed to them rather than traveling to a polling place to vote in person. In the 2018 Primary Election, a paltry 30,122 ballots were cast by mail; by contrast in the 2022 primary, due to both the COVID-19 pandemic and the increased interest in voting from home, the number of mail-in ballots exploded to 346,114-- a whopping tenfold increase.

[SB379](#) would initiate the canvassing of mail-in ballots eight days before the start of Early Voting. This bill is essentially the same as the version we passed last year, but with three changes worth noting:

- Require local boards of elections to log mail-in ballots as soon as practicable (and not later than two business days) to reassure voters that their ballots have been received. This will also help to reduce the number of provisional ballots.
- Ensuring that only the first "legally sufficient" ballot from a voter is counted
- Permit smaller counties with fewer ballots to seek a waiver from the SBE Administrator, who could determine that early canvassing is not necessary there

Rather than emergency canvassing regulations by the SBE Board followed by lawsuits, this bill would provide an answer to delays in vote tabulation. Mail-in ballots must be tabulated in a timely manner, especially as we expect mail-in voting to continue to rise.

This bill passed the Senate (33-11) on March 14, 2023.

I urge a favorable report on SB379.