



Maryland State Board of Elections

SB271 – Chair, Education, Energy, and the Environment Committee (By Request- State Board of Elections) Election Law - Revisions

Purpose:

1. Alters the reporting criteria for reports issued by the clerk of the Circuit and District Courts
2. Allows the use of a public building for an early vote center
3. Permits chairs of central committees to seek election to the central committee.

Comments:

The State Board of Elections supports the legislation. The proposed bill (1) alters the report received by the State Board from the clerk of the Circuit and District Courts to match the language of persons ineligible to register to vote, (2) allows for the use of public buildings as early vote centers and (3) allows incumbent chairs of the central committee to be a candidate for central committee in subsequent elections.

Currently, the State Board receives a report of individuals who are convicted from the clerks. Pursuant to §3-504, the State Board receives reports from the Administrative Office of the Courts (AOC) of persons “convicted... of a felony” for the purpose of updating eligibility in the voter rolls. This provision of code was last updated in 2007. However, voter ineligibility standards were updated in 2016 and now only exclude those “currently serving” imprisonment for the conviction.” See Election Law Article §3-102. This bill would conform the language in §3-504 to the newer language in §3-102 to accurately match the current law concerning persons ineligible to vote. This modification will make the report more beneficial in voter list maintenance and less likely to result in unlawful disenfranchisement.

The use of public buildings is mandated for Election Day polling places. This proposed change brings the same provisions for early voting. Election Law Article §10-101, enacted over 20 years ago, prescribes the considerations that must be taken when choosing locations for election day voting, and includes a requirement that public officials make public buildings available to the local board of election, upon request, without charge, for election day voting. In 2009, the General Assembly enacted provisions allowing early voting in Maryland and required that Early Voting Center (EVC) locations shall also be chosen with the same considerations as §10-101. See Election Law Article §10-301. However, the early voting provision does not expressly provide the requirement that public officials make public buildings available to the local boards upon request for early voting. This bill will extend the same requirements for election day voting locations to early voting locations, and significantly aid the selection and lower costs of Early Voting Centers to ensure locations best meet the needs of voters. Additionally, this has the full support of the local boards of elections.

Finally, changing the term from treasurer to responsible officer allows for central committee chairs to seek re-election for that position. The law technically prohibits a chair of the central committee from seeking re-election as a central committee member while being the chair. This is because a candidate may not act in any position that exercises generally overall responsibility for the conduct of another political committee. The Chair of the central committee directs and authorizes every disbursement and incursion of liabilities for the central committee. See Election Law Article §13-218(c).

Thank you and we look forward to your favorable passage of this bill.

Contacts:

Jared DeMarinis, State Administrator of Elections
410-269-2853 or jared.demarinis@maryland.gov

Jennifer McLaughlin, Policy Analyst and Director of Mail-In Voting
410-269-2849 or jennifer.mclaughlin@maryland.gov

**JARED DeMARINIS, STATE ADMINISTRATOR
STATE BOARD OF ELECTIONS**

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