

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	03/04/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 4/4/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

33 10 02 07

3. Name of Promulgating Authority

State Board of Elections

4. Name of Regulations Coordinator Telephone Number
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6. Check applicable items:
 New Regulations

STATE BOARD OF ELECTIONS

Subtitle 10 VOTING SYSTEMS-SYSTEM REQUIREMENTS AND PROCEDURES

33.10.02 AccuVote-TS

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-102(b) and (i), 11-308, and 11-403(a)(1), Annotated Code of Maryland

Notice of Proposed Action

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The State Board of Elections proposes to amend Regulation .07 under COMAR 33.10.02 AccuVote-TS.

This action was considered by the State Board of Elections at its February 27, 2014 meeting, notice of which was given in accordance with State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to clarify the procedure for determining the voting unit allocation to include the State Administrator with consultation with the local boards.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Erin Perrone, Administrative Assistant, State Board of Elections, PO Box 6486, Annapolis, MD 21401-0486, or call 410-269-2845, or email to erin.perrone@maryland.gov, or fax to 410-974-2019. Comments will be accepted through May 5, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 14

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

No funds are necessary to implement these regulations.

E. If these regulations have no economic impact under Part A, indicate reason briefly:

These regulations are technical and administrative in nature.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations do not impact small business as they are technical and administrative in nature.

G. Small Business Worksheet:

Attached Document:

Title 33 State Board of Elections

Subtitle 10 Voting Systems- System Requirements and Procedures

Chapter 02 AccuVote-TS

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-102(b) and (i), 11-308, and 11-403(a)(1), Annotated Code of Maryland

.07 Number of Voting Units; Privacy Booths. (2/10)

A. Number of Voting Units Required.

(1) For a regularly scheduled primary or general election, the [local board shall provide each polling place with:

(a) The greater of:

(i) One voting unit for each 200 registered voters assigned to a precinct, plus an additional voting unit for every fractional part of that number; or

(ii) Two voting units; and

(b) At least one voting unit with accessible voting equipment] *State Administrator shall, in consultation with the local boards, determine the number of voting units assigned to each precinct.*

(2) For purposes of determining the voting unit allocation under §A(1) of this regulation, [a local board shall reduce the number of registered voters assigned to a precinct by the overall percentage of voters] the State Administrator [estimates will turn out during early voting] *shall consider:*

(a) *The estimated turnout for early voting and absentee voting;*

(b) *Historical turnout for each precinct;*

(c) *The length of the ballot; and*

(d) *Any other factor deemed to impact turnout and the length of time to vote.*

(3) (text unchanged)

B. – C. (text unchanged)

LINDA H. LAMONE
STATE ADMINISTRATOR