

MARYLAND REGISTER

**Emergency Action on Regulations**

<b>TO BE COMPLETED BY AELR COMMITTEE</b>	<b>EMERGENCY</b> <b>Transmittal Sheet</b>	<b>TO BE COMPLETED BY DSD</b>
Date Received by AELR Committee		Date Filed with Division of State Documents
03/26/2020		Document Number
Emergency Status Approved		Date of Publication in MD Register
_ -Yes _ -No		
Emergency Status Begins On		
On		
Emergency Status Ends On		
Name of AELR Committee Counsel		

**1. COMAR Codification**

**Title Subtitle Chapter Regulation**

33 19 02 01

**2. Name of Promulgating Authority**

State Board of Elections

**3. Name of Regulations Coordinator**

Tracey E Hartman

**Telephone Number**

410-269-2931

**Mailing Address**

151 West Street, Ste. 200

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Annapolis MD 21401

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**4. Name of Person to Call About this Document**

Tracey Hartman

**Telephone No.**

410-269-2931

**Email Address**

traceye.hartman@maryland.gov

**5. Check applicable items:**

- New Regulations
- Amendments to Existing Regulations
- Repeal of Existing Regulations
- Incorporation by Reference of Documents Requiring DSD Approval

**6. Date Requested for Emergency Status to Begin: 3/26/2020**

**Date Requested for Emergency Status to Expire: 7/31/2020**

**7. Agency Will Take the Following Action on These Regulations**

- Promulgate them in accordance with State Government Article, §§ 10-101 -- 10-126
- Allow them to expire

**8. Is there proposed text which is identical to emergency text:**

- Yes  - No

**9. Check the following item if it is included in the attached document:**

- Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**10. Reason for Request for Emergency Status**

This proposed regulation removes the requirement that the State Board send a pre-election mailing to each pre-qualified voter. SBE had contracted with the Maryland Correctional Enterprises (MCE) to print and mail this postcard for the April 28, 2020 election. However, due to the Governor's Proclamation of March, 17, 2020, MCE notified SBE on March 18, 2020 that they had reduced their workforce in response to COVID-19 and could not produce the postcards in the required timeframe.

If this emergency change is approved, SBE would take "appropriate measures," as required under Election Law Article, §3-306(d)(1), to notify potential registrants of where they can take advantage of the same day registration process. These measures could include posting information on SBE's and the local boards' websites, social media messaging, press releases, and sharing information with voter advocacy organizations and political campaigns.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Andrea Trento, Assistant Attorney General, (telephone #410-576-6472) on 03/26/2020. A signed copy of the approval is on file at this agency.

**Name of Authorized Officer**

Linda H. Lamone

**Title**

State Administrator

**Telephone No.**

410-269-2840

**Date**

March 26, 2020

**Title 33**  
**STATE BOARD OF ELECTIONS**

**Subtitle 19 SAME DAY REGISTRATION AND ADDRESS CHANGE**

**33.19.02 Public Notice**

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), and 3-305(d) and (e),  
Annotated Code of Maryland

**Notice of Emergency Action**

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The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to repeal Regulation .01 under COMAR 33.19.02 Public Notice.

**Emergency status began:**

**Emergency status expires:**

**Comparison to Federal Standards**

There is no corresponding federal standard to this emergency action.

**Estimate of Economic Impact**

The emergency action has no economic impact.

**Economic Impact on Small Businesses**

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

**Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2020

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

Yes

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

General funds

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

E. If these regulations have no economic impact under Part A, indicate reason briefly:  
These regulations are 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 are administrative in nature.

G. Response to small business worksheet:

Attached Document:

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## **Title 33 STATE BOARD OF ELECTIONS**

### **Subtitle 19 Same Day Registration and Address Change**

#### **Chapter 02 Public Notice**

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), and 3-305(d) and (e), Annotated Code of Maryland

##### **.01 Minimum Requirements**

[A. State Board. Before the close of registration for each election, the State Administrator shall send a pre-election mailing to each pre-qualified voter, which shall either:

- (1) Include the correct polling place for the pre-qualified voter's address; or
- (2) Instruct the pre-qualified voter how to find the individual's correct polling place.

B. Local Board.] A local board shall include in each specimen ballot information about how a voter can change the voter's address during early voting.

LINDA H. LAMONE  
STATE ADMINISTRATOR