

MARYLAND REGISTER

Emergency Action on Regulations

TO BE COMPLETED BY AELR COMMITTEE	EMERGENCY Transmittal Sheet	TO BE COMPLETED BY DSD
Date Received by AELR Committee		Date Filed with Division of State Documents
08/31/2020		Document Number
Emergency Status Approved		Date of Publication in MD Register
_Yes _No		
Emergency Status Begins On		
Emergency Status Ends On		
Name of AELR Committee Counsel		

1. COMAR Codification

Title Subtitle Chapter Regulation

33 17 02 02

2. Name of Promulgating Authority

State Board of Elections

3. Name of Regulations Coordinator

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4. Name of Person to Call About this Document

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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: 9/14/2020

Date Requested for Emergency Status to Expire: 12/31/2020

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

These changes are necessary to allow the local boards of elections to change previously approved early voting centers or add additional early voting centers. The proposed emergency changes allow a local board to change the location of or establish a new early voting center if: (1) a previously approved center is no longer available; (2) a local board determines that there is a more suitable location; and (3) a local board approves an early voting center authorized under Election Law Article, §10-301.1(b)(7). Due to the short time before early voting, the State Board of Elections adopted these regulations as an emergency measure.

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 August 27, 2020. A signed copy of the approval is on file at this agency.

Name of Authorized Officer

Linda H. Lamone

Title

Telephone No.

State Administrator

410-269-2840

Date

April 31, 2020

Title 33 STATE BOARD OF ELECTIONS

Subtitle 17 EARLY VOTING

33.17.02 Early Voting Centers

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), and 10-301.1, Annotated Code of Maryland

Notice of Emergency Action

□

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to Regulation .02 under COMAR 33.17.02 Early Voting Centers.

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 21

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 and local 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:

The 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.

The regulations are administrative in nature.

G. Response to small business worksheet:

Attached Document:

Title 33 STATE BOARD OF ELECTIONS

Subtitle 17 EARLY VOTING

Chapter 02 Early Voting Centers

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), and 10-301.1, Annotated Code of Maryland

.02 Selecting Early Voting Centers.

A. Form for Proposed Early Voting Center.

(1) (text unchanged)

(2) Form Submission for Early Voting Center.

(a) *Except as provided in § A(2)(c) of this regulation, [At] at least 7 months before a primary election, a local board shall submit a form for each proposed early voting center.*

(b) (text unchanged)

(c) *The State Administrator shall permit a local board of elections for that county to establish or change an early voting center no later than October 20, 2020, provided that all other requirements of an early voting center as established in COMAR 33.17 can be met, if:*

(i) *A previously approved center is no longer available;*

(ii) *A local board determines that there is a more suitable location; or*

(iii) *A local board approves an early voting center authorized under Election Law Article §10–301.1(b)(7).*

B. – E. (text unchanged)

F. Approval of Early Voting Centers.

(1) (text unchanged)

(2) The State Board shall:

(a) *Except as provided in § F(2)(d) of this Regulation, [Vote] vote on a local board's proposed early voting center within 30 days of receipt of the form required in §A of this regulation;*

(b)- (c) (text unchanged)

(d) *For any early voting center established pursuant to Regulation .02A(2)(c) of this Chapter, vote on the local board's proposed early voting center no later than October 25, 2020.*

(3) (text unchanged)
G. (text unchanged)

LINDA H. LAMONE
State Administrator of Elections