

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	11/17/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 1/8/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

33 09 06 03

3. Name of Promulgating Authority

State Board of Elections

4. Name of Regulations Coordinator

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Title 33
STATE BOARD OF ELECTIONS
Subtitle 09 VOTING SYSTEM – CERTIFICATION AND GENERAL
REQUIREMENTS

33.09.06 Implementation and Use

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

Notice of Proposed Action

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The State Board of Elections proposes to adopt Regulation .03 under COMAR 33.09.06 Implementation and Use.

This action was considered by the State Board of Elections at its November 13, 2015 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 move the criteria for determining voting equipment allocation from the specific system regulations to the general system requirements. Since these factors apply regardless of the voting system used in the State, it is more appropriate to be in 33.09. No substantive changes were made to the text, but terms were updated to reflect the new voting system.

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, or call 410-269-2845, or email to

erin.perrone@maryland.gov, or fax to 410-974-2019. Comments will be accepted through 02/08/2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 16

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 09 VOTING SYSTEM – CERTIFICATION AND GENERAL REQUIREMENTS

Chapter 06 Implementation and Use

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

.03 Equipment Allocation.

A. For a regularly scheduled primary or general election, the State Administrator, in consultation with the local boards, shall determine the amount of voting equipment assigned to each voting location.

B. For purposes of determining the amount of voting equipment under §A of this regulation, the State Administrator shall consider:

- (1) The estimated turnout for early voting and absentee voting;*
- (2) Historical turnout for each precinct;*
- (3) The length of the ballot; and*
- (4) Any other factor deemed to impact turnout and the length of the time to vote.*

C. For a special election, the local board may determine the amount of voting equipment to be provided in each polling place. However, each voting location shall contain at least one precinct tabulator and accessible ballot marking device.

LINDA H. LAMONE
STATE ADMINISTRATOR