

HOUSE BILL 1222

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CF SB 1052

By: **Delegates Adams, Buckel, Chisholm, Grammer, Griffith, Hornberger, Hutchinson, Otto, and Tomlinson**

Introduced and read first time: February 8, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Local Boards of Elections – Maintenance and Public Disclosure of Election**
3 **Records**

4 FOR the purpose of requiring each local board of elections to maintain certain records for
5 a certain period of time and in a certain manner; requiring an election director or
6 representative of a local board to make certain records available for public inspection
7 immediately and to post certain records on the local board's website on request;
8 authorizing a person to enforce a certain request by filing a petition for a writ of
9 mandamus; and generally relating to the maintenance and public disclosure of
10 election records by local boards of elections.

11 BY repealing and reenacting, with amendments,
12 Article – Election Law
13 Section 2–106
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2023 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Election Law**

19 2–106.

20 (a) (1) Subject to paragraph (2) of this subsection **AND SUBSECTION (C) OF**
21 **THIS SECTION**, the State Board and each local board shall maintain and dispose of its
22 public records in accordance with the program for records management adopted by the
23 State Board under Title 10, Subtitle 6, Part II of the State Government Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Each local board shall maintain voting authority cards that have been
2 signed under § 10–310(a)(6) of this article for [3] 10 years by:

3 (i) physically storing the voting authority cards; or

4 (ii) electronically scanning and storing the voting authority cards in
5 the same manner that the local board stores other electronic materials.

6 (b) If produced and proved by a representative of the applicable board, a copy of
7 a public record that is certified by and kept under the seal of the principal administrative
8 officer of that board shall be evidence in any court to the same extent as the original record.

9 **(C) (1) EACH LOCAL BOARD SHALL MAINTAIN THE FOLLOWING:**

10 **(I) ALL PUBLIC RECORDS;**

11 **(II) ALL ELECTION DATA;**

12 **(III) ALL SYSTEMS CONNECTED TO OR USED IN THE**
13 **ADMINISTRATION OF ELECTION LOGS OR MANUALS;**

14 **(IV) VIDEO RECORDS;**

15 **(V) AUDIO RECORDS;**

16 **(VI) ALL VOTER REGISTRATION LISTS;**

17 **(VII) RECORDS OF ALL VOTER REGISTRATION LIST**
18 **MAINTENANCE ACTIVITIES;**

19 **(VIII) ALL ABSENTEE BALLOT REQUESTS;**

20 **(IX) RECORDS OF ABSENTEE BALLOT CHAINS OF CUSTODY;**

21 **(X) ALL ABSENTEE BALLOT RECEIPT CONFIRMATIONS; AND**

22 **(XI) ANY OTHER RECORD IN CONNECTION WITH THE**
23 **ADMINISTRATION OF ELECTIONS IN THE STATE.**

24 **(2) EACH LOCAL BOARD SHALL MAINTAIN THE RECORDS REQUIRED**
25 **UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR A PERIOD OF 10 YEARS AFTER THE**
26 **DATE OF EACH ELECTION.**

1 **(3) EACH LOCAL BOARD SHALL ORGANIZE THE RECORDS REQUIRED**
2 **UNDER PARAGRAPH (1) OF THIS SUBSECTION BY THE ELECTION FOR WHICH THE**
3 **RECORDS WERE GENERATED.**

4 **(4) ON REQUEST FOR A RECORD MAINTAINED IN ACCORDANCE WITH**
5 **THIS SUBSECTION, THE ELECTION DIRECTOR OR OTHER REPRESENTATIVE OF THE**
6 **APPLICABLE LOCAL BOARD SHALL:**

7 **(I) MAKE THE RECORD AVAILABLE FOR PUBLIC INSPECTION**
8 **IMMEDIATELY; AND**

9 **(II) POST THE RECORD ON THE LOCAL BOARD’S WEBSITE.**

10 **(5) A PERSON MAY FILE A PETITION FOR A WRIT OF MANDAMUS TO**
11 **ENFORCE PARAGRAPH (4) OF THIS SUBSECTION.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2024.