
By: Delegates Crumlin, B. Hughes, Pendergrass, Pitkin, Fulton, Turner, Conroy, Bobo, and Dypski

Introduced and read first time: February 2, 1996
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Election By Mail**

3 FOR the purpose of requiring that all elections conducted under the Election Code be
4 conducted solely by means of mail-in ballots that are capable of being counted by
5 computer; repealing provisions relating to polling places, election judges, voting
6 machines, polling place procedures, and noncomputer tabulated paper ballots;
7 requiring the State Administrative Board of Election Laws to adopt certain
8 regulations; requiring the State Board to propose certain legislation; providing that
9 if a commission is established to revise the Election Code, it shall effectuate the
10 intent of this Act; providing for a delayed effective date; and generally relating to
11 the substitution of balloting by mail for voting in polling places.

12 BY repealing

13 Article 33 - Election Code
14 Section 2-7, 2-8, 2-11; 3-7, 3-15, 3-21A; 14-1 and the subtitle "Paper Ballots";
15 15-1 through 15-5; 16-1 through 16-3, 16-8 through 16-18 and the subtitle
16 "Voting Machines"; 16A-1 and 16A-2 and the subtitle "Electronically
17 Tabulated Punchcard Ballots"; 16B-1 through 16B-4 and the subtitle "Voting
18 Systems"; 17-4, 17-8, 24-4, 24-8, 24-9, 24-19, 24-26, 27-1 through 27-6
19 Annotated Code of Maryland
20 (1993 Replacement Volume and 1995 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article 33 - Election Code
23 Section 1-1(a)(1A), 1A-1(e); 2-6(a)(1), 2-10, 2-12; 24-23; and 27-7 and 27-9
24 through 27-12 to be under the amended subtitle "Mail-In Voting"
25 Annotated Code of Maryland
26 (1993 Replacement Volume and 1995 Supplement)

27 BY adding to

28 Article 33 - Election Code
29 Section 14-1 to be under the new subtitle "Ballots"
30 Annotated Code of Maryland
31 (1993 Replacement Volume and 1995 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 2-7, 2-8, 2-11; 3-7, 3-15, 3-21A; 14-1 and the subtitle
3 "Paper Ballots"; 15-1 through 15-5; 16-1 through 16-3, 16-8 through 16-18 and the
4 subtitle "Voting Machines"; 16A-1 and 16A-2 and the subtitle "Electronically Tabulated
5 Punchcard Ballots"; 16B-1 through 16B-4 and the subtitle "Voting Systems"; 17-4, 17-8,
6 24-4, 24-8, 24-9, 24-19, 24-26, 27-1 through 27-6, inclusive, of Article 33 - Election
7 Code of the Annotated Code of Maryland be repealed.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
9 read as follows:

10 **Article 33 - Election Code**

11 1-1.

12 (a) As used in this article the following terms shall have the meanings indicated
13 unless a contrary meaning is clearly intended from the context in which the term appears:

14 (1A) "Ballot" or "ballots" means [paper ballots, ballots consisting of one or
15 more punchcards, absentee ballots, or the labels which appear on the face of voting
16 machines, whichever in context would be appropriate] **BALLOTS FOR VOTING BY MAIL
17 IN ACCORDANCE WITH THE REQUIREMENTS OF THIS ARTICLE.**

18 1A-1.

19 (e) The State Administrative Board of Election Laws shall have the following
20 powers and duties, including but not limited to:

21 (1) Exercising supervision over the conduct of elections in the State;

22 (2) Adopting rules and regulations to facilitate compliance by the boards of
23 supervisors of elections with the requirements of this article in the conduct of
24 registrations, voting and elections in the State and in otherwise fulfilling their duties
25 under this article;

26 [(3) In accordance with the provisions of subtitle "Voting Systems",
27 reviewing, approving, certifying, and decertifying voting systems, including specific models
28 of a system, and adopting rules and regulations governing the review, approval,
29 certification, decertification, and use of voting systems; provided, however, any voting
30 system for which there was authorization in law immediately prior to July 1, 1978, is
31 certified and may not be decertified by the Board;]

32 [(4)] (3) Constituting a depository for such election records and relevant
33 information concerning elections as may be provided by law or by administrative practice;

34 [(5)] (4) Subject to § 2-1312 of the State Government Article, reporting to
35 the General Assembly at least once during each 4-year term of the General Assembly,
36 but in any event during the third year of the term, including recommended changes in this
37 article to assure its uniform administration and improvement in the procedure for the
38 conduct of registration, voting and elections; AND

39 [(6)] (5) Adopting regulations for the conduct of recounts; and

3

1 (7) Adopting regulations that require local boards to provide timely public
2 notice of the absentee ballot process].

3 2-6.

4 (a) (1) Except as provided in paragraph (2) of this subsection, this section
5 applies to all employees of an election board, including clerks, registrars, AND
6 stenographers[, and voting machine operators].

7 2-10.

8 [(a) (1)] Each board shall give public notice of the time [and place] of all
9 elections [in each precinct]. Such notice shall be given in newspapers of general
10 circulation; in the discretion of the board, notices may also be posted in such public
11 places [in each precinct] as the board may determine.

12 [(2) Except as provided in paragraph (3) of this subsection, the election
13 board of each county and Baltimore City at their discretion may mail at least one week
14 before every election a specimen ballot to the household of each registered voter in the
15 county or Baltimore City.

16 (3) (i) In Prince George's County, at least 1 week before the general
17 election the Board shall mail a specimen ballot to the household of each registered voter
18 in the County.

19 (ii) The costs for mailing the specimen ballot required under
20 subparagraph (i) of this paragraph shall be included in the annual budget appropriation
21 by Prince George's County to the board.

22 (b) The board of each county, except those in which a specimen ballot is mailed
23 pursuant to the preceding paragraph and such ballot includes the time and place of the
24 election, shall give notice during the calendar week preceding any election of the time and
25 place of the election by advertisements, if same can be procured at the lowest available
26 local rate for commercial advertising, in at least two newspapers of general circulation
27 published in the county, except that in those counties where there is only one newspaper
28 published which is a weekly of general circulation, then in the weekly newspaper.

29 (c) In Baltimore City, unless a specimen ballot is mailed pursuant to this section
30 and such ballot includes the time and place of the election, the board shall give notice five
31 (5) days before the date of the election by advertisement in all the daily newspapers and
32 may give such notice in one or more weekly or semiweekly newspapers published in
33 Baltimore City and having a circulation of not fewer than 20,000 subscribers, which will
34 publish the same at their lowest available local rate for commercial advertising.]

35 2-12.

36 (a) The boards, whenever they deem it to be expedient for the convenience of the
37 voters, may:

38 (1) Subdivide into precincts any election district in their respective counties
39 or ward in Baltimore City, as the case may be;

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1 (2) Subdivide any election precinct in the counties or Baltimore City, as the
2 case may be;

3 (3) Change the boundaries of any election precinct in the counties or
4 Baltimore City, as the case may be; OR

5 [(4) Designate new polling places in any such election district, ward, or
6 precinct as they may deem necessary, or change the location of an existing polling place;
7 or]

8 [[5]] (4) Combine or abolish precincts as may be necessary.

9 (b) Except as provided in subsection (d) of this section, a precinct may not be
10 created, nor any precinct boundary change made, nor any new polling places in any
11 election district or precinct be created, except in emergencies, nor any precincts be
12 combined or abolished, after the Tuesday which is 13 weeks prior to any primary election,
13 nor shall any precinct be created, combined, or abolished between any primary and
14 general election.

15 (c) Any precinct boundary established by a local board subsequent to July 1, 1987,
16 shall follow visible features as defined by the Bureau of the Census, United States
17 Department of Commerce.

18 (d) (1) Unless the change is approved in advance by the State Administrator of
19 Election Laws, during the period December 8, 1987, through November 15, 1992, a new
20 precinct may not be created and a precinct boundary may not be changed.

21 (2) Within 5 days of making such a change, the local board shall send to the
22 State Administrative Board of Election Laws a written description of the new boundary
23 and a map showing the boundary.

24 (3) The State Board shall immediately forward the description and the map
25 to the Director of the Office of Planning and the Director of the Department of
26 Legislative Reference.

27 (e) Whenever the board subdivides into precincts any election district, or ward; or
28 subdivides any election precinct, or changes the boundaries of any election precinct, [or
29 designates new polling places or changes the location of any existing polling place,] or
30 combines or abolishes any precincts in any such election district or precinct, it shall:

31 (1) Provide for and cause to be prepared such additional sets of cards or
32 loose-leaf pages as may be required for transcribing the names of registered voters
33 transferred to such newly established precinct [or polling place] in any election district,
34 ward, or precinct, and to correct and transfer the registration forms or cards of the
35 registered voters affected thereby.

36 (2) Except in emergencies, notify the voters affected by the change by mail
37 within 30 days after such change. [In cases of emergency, the board shall notify the voters
38 affected by the change of polling place by whatever means are reasonable, as determined
39 by the board.] A voter's registration may not be invalidated by such alteration or transfer,
40 nor shall the right of any voter be prejudiced by any error in filing or in making out the list
41 of voters or in making any change or transfer.

1 (f) (1) Each board, at the time precinct lines are created or changed under the
2 authority of any provision of law, shall have a reasonable number of maps prepared
3 showing the new precinct lines and shall adopt a resolution describing the precinct lines.
4 One copy of each of the resolutions and of the maps shall be filed with the clerk of the
5 circuit court of the county and the State Administrative Board of Election Laws.

6 (2) The board of supervisors of elections in every county and Baltimore City
7 shall provide and have available for public information and distribution maps and
8 descriptions, which shall delineate by streets, monuments, and other appropriate
9 geographical descriptions each precinct, councilmanic district, House of Delegates
10 district, State senatorial district and congressional district which is within its area or of
11 which its area is a part. The respective maps and descriptions shall provide a clear and
12 concise delineation of boundaries which can be easily understood by laymen. The maps
13 and descriptions provided by any board can include more than one precinct or district and
14 will comply with this section, provided the delineation of boundaries is clear and concise
15 and can be easily understood by laymen.

16 (3) If a State senatorial district or congressional district comprises portions
17 of two or more of the political subdivisions, the two or more boards of supervisors of
18 elections shall cooperate in providing and having the description available for public
19 information. If an entire county is part or all of a State senatorial district or congressional
20 district, the county boundary lines may be so referred to and need not be further
21 described by street, monument, or geographical description.

22 (4) The board of supervisors of elections in every county and Baltimore City
23 shall provide and have available for public information and distribution a directory of
24 street addresses in said county or Baltimore City. Such directory shall list street address
25 locations in alphabetical and/or numerical order appropriate for reference purposes, and
26 shall indicate the election district or ward, precinct (if any), legislative district,
27 congressional district, and postal zip code for each street address. The directory shall be
28 kept current as new street addresses are created or as existing ones are changed.

29 (5) Any board may charge reasonable fees for such maps, descriptions, and
30 directories. However, these fees cannot be in excess of the proportionate cost for
31 production of each map, description, and directory. No board shall prepare any unduly
32 expensive maps, descriptions, and directories.

33 (6) Each board shall file with the State Administrative Board of Election
34 Laws all maps, descriptions, and directories required under this section.

35 **BALLOTS**

36 14-1.

37 (A) ALL ELECTIONS SHALL BE CONDUCTED BY MAIL.

38 (B) (1) EACH BOARD SHALL SEND, BY NONFORWARDABLE MAIL, AN
39 OFFICIAL BALLOT TO EACH INDIVIDUAL IN THE COUNTY WHO IS REGISTERED TO
40 VOTE AS OF THE CLOSE OF REGISTRATION PURSUANT TO § 3-8 OF THIS ARTICLE.

41 (2) BALLOTS SHALL BE MAILED:

6

1 (I) NOT EARLIER THAN THE 20TH DAY BEFORE THE DAY OF THE
2 ELECTION; AND

3 (II) NOT LATER THAN THE 14TH DAY BEFORE THE DAY OF THE
4 ELECTION.

5 (C) (1) AT THE REQUEST OF A REGISTERED VOTER, A REPLACEMENT
6 BALLOT MAY BE OBTAINED FROM THE BOARD AS PROVIDED IN PARAGRAPH (2) OF
7 THIS SUBSECTION.

8 (2) (I) A REPLACEMENT BALLOT MAY BE MAILED BY THE BOARD NOT
9 LATER THAN THE 5TH DAY BEFORE THE DAY OF THE ELECTION.

10 (II) A REPLACEMENT BALLOT MAY BE OBTAINED IN PERSON BY
11 THE VOTER UNTIL 7:30 P.M. ON THE DAY OF THE ELECTION.

12 (D) THE STATE ADMINISTRATIVE BOARD OF ELECTION LAWS SHALL ADOPT
13 REGULATIONS AS NECESSARY TO IMPLEMENT THE SYSTEM OF VOTING BY MAIL.

14 24-23.

15 (a) The following offenses shall be punished as in this section provided. For any
16 person:

17 (1) Wilfully to destroy or deface any ballot [or, except as provided in this
18 article, to take or remove any ballot outside of the building in which voting occurs, before
19 the close of the polls]; or

20 (2) Wilfully to delay the delivery of any ballot; or

21 (3) On or before the day of any election to have or retain in his possession
22 any official ballot printed for said election unless such possession by him is necessary or
23 appropriate and designed for the purpose of carrying out the true intent and meaning of
24 this article; or

25 (4) (i) To canvass, electioneer or post any campaign material in the
26 polling place or beyond a line established by signs posted in accordance with this
27 paragraph. At each polling place, 2 election judges, 1 from each principal political party,
28 shall be designated by the election board and, acting jointly, shall post signs outlining a
29 line around the entrance and exit of the building closest to that part of the building in
30 which voting occurs. The line shall be located as near as practicable to 100 feet from the
31 entrance and exit and shall be established after consideration of the configuration of the
32 entrance and the effect of placement on public safety and the flow of pedestrian and
33 vehicular traffic. The signs shall contain the following or comparable language: "No
34 Electioneering Beyond this Point".

35 (ii) In Anne Arundel, Cecil, Charles, Garrett, Harford, Kent, and
36 Queen Anne's Counties, to canvass, electioneer, or post any campaign literature or
37 material on election day in a polling place or within a 300 foot radius from the entrance
38 and exit of the building closest to that part of the building in which voting occurs].

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1 (b) A person who violates a provision of this section is subject to a fine, on
 2 conviction, of not less than \$50 or more than \$500, or imprisonment for not more than 60
 3 days, or both.

4 [Absentee] MAIL-IN Voting

5 27-7.

6 (a) In sufficient time prior to any election, the boards shall have printed an
 7 adequate number of [absentee] ballots, the three kinds of envelopes described in this
 8 section, and the instructions to [absentee] voters as set out in § 27-8 of this article.

9 (1) [Absentee ballots] BALLOTS in the discretion of the board may be in
 10 the form either of [paper ballots or of] one or more punchcards or other computer read
 11 documents kept together in a covering folder, provided that all [absentee] ballots in any
 12 one county or Baltimore City shall be in the same form. The form and arrangement of all
 13 [absentee] ballots shall be as prescribed by the State Administrative Board of Election
 14 Laws.

15 (2) Notwithstanding any provision in this subsection, before any board may
 16 use punchcard ballots or ballots that are other computer read documents, the particular
 17 ballot system, including the form of ballot arrangement, the nature of the ballot used, the
 18 method of marking ballots, and any sorting or counting devices must be approved for use
 19 in the State by the State Administrative Board of Election Laws. Before approving a
 20 punchcard or other computer read document ballot system for use in the State, the State
 21 Administrative Board of Election Laws shall be satisfied that the system is accurate,
 22 efficient and free from the likelihood of mechanical breakdowns and understandable by
 23 voters, that it is subject to recount by some other system, and that it complies with the
 24 laws of Maryland.

25 (b) (1) All ballots shall contain the words ["Absentee Ballot" or] "Official
 26 Ballot" printed in large letters in a clear space at the top of each ballot [and on any
 27 covering folder instructions to the voters shall be printed as follows:].

28 [(1) If paper ballots are used, underneath the words "Absentee Ballot" or
 29 "Official Ballot" shall be printed the following warning: "Mark ballot by placing X in
 30 proper blank after each candidate or question. Do not erase or make identifying mark. If
 31 your vote for a candidate or question is marked in such a manner that your intent is not
 32 clearly demonstrated, your vote for that office or question shall not be counted. In order
 33 to protect the secrecy of your vote, do not put your name, initials, or any identifying mark
 34 on your official ballot. If it is determined that a ballot is intentionally marked with an
 35 identifying mark the entire ballot will not be counted".]

36 (2) [If punchcard ballots or other computer read documents are used,
 37 clear] CLEAR directions shall be provided to the voter, either on the ballot itself or in the
 38 instructions required by § 27-8 of this article. These instructions shall include information
 39 as to how to mark the ballot, and also shall contain a warning to the voter not to repair
 40 the ballot or make an identifying mark on it. If both sides of a ballot are used to list
 41 candidates or questions to be voted on, the words "Vote both sides" shall appear on both
 42 sides of the ballot. The designation of the election district or ward and the precinct shall
 43 be left blank [on paper ballots on the back and outside of said ballots,] on punchcard

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1 ballots on each punchcard, AND on ballots that are other computer read documents and
2 on the outside of the covering folders for said ballots, and such designation may be filled
3 in by the appropriate board before being sent to any registered absentee voter.

4 (c) The State Administrative Board of Election Laws shall prescribe the size,
5 form and printed content of the [absentee] ballot material envelopes, providing for a
6 "covering envelope", a "ballot envelope", and a "return envelope".

7 27-9.

8 (a) The board shall not open or unfold any [absentee] ballot at any time prior to
9 [the closing of the polls] 8:00 P.M. ON ELECTION DAY.

10 (b) (1) Subject to the provisions of paragraph (2), [at any time after 4 p.m. on
11 the Wednesday following election day and] not later than the canvass of the votes cast
12 [at the regular voting places] in this State at any election, the several boards shall meet
13 at the usual place for holding the circuit court for the county or at the usual offices of the
14 board and shall proceed to count, certify and canvass the [absentee] ballots contained in
15 the ballot envelopes. Each board of canvassers shall keep the ballots safe from tampering
16 until the canvass is completed. The State Administrative Board of Election Laws and the
17 several boards shall take all appropriate and feasible steps to protect the privacy of all
18 [absentee] ballots.

19 (2) The canvass may not be completed until all [absentee] ballots that have
20 been received timely have been counted.

21 (c) (1) Except as provided in subsection (d), a ballot shall be considered as
22 received timely provided:

23 (i) It has been received by the board prior to [the closing of the
24 polls] 8:00 P.M. on election day; or

25 (ii) 1. It was mailed before election day;

26 2. The United States Postal Service, an Army Post Office, a
27 Fleet Post Office, or the postal service of any other country, has provided verification of
28 that fact by affixing a mark so indicating on the covering envelope; and

29 3. The board receives the ballot from the United States Postal
30 Service not later than 4 p.m. on the Wednesday following election day.

31 (2) Except as provided in subsection (d), any ballot received after the
32 deadline established in this subsection may not be counted.

33 (d) (1) In a general or special election, or a primary election in the year in
34 which the President of the United States is elected, a ballot received from a location
35 outside the United States shall be considered as received timely provided:

36 (i) It has been received by the board from the United States Postal
37 Service not later than 4 p.m. on the second Friday following the election day; and

38 (ii) 1. It was mailed before election day; and

1 2. The United States Postal Service, an Army Post Office, a
2 Fleet Post Office, or the postal service of any other country, has provided verification of
3 that fact by affixing a mark so indicating on the covering envelope.

4 (2) Any ballot received by mail after the deadline established in this
5 subsection may not be counted.

6 (3) The commencement of the counting and canvassing process maynot be
7 delayed to await receipt of ballots under this subsection.

8 (4) For the purposes of this subsection, "United States" includes the several
9 states, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin
10 Islands, but does not include American Samoa, the Canal Zone, Guam, theTrust
11 Territory of the Pacific Islands, any other territory or possession of the United States, an
12 Army Post Office address, or a Fleet Post Office address.

13 (e) For the purposes of subsections (c) and (d), a voter's affidavitthat the ballot
14 was completed and mailed before election day shall suffice if the postal service of the
15 country from which the ballot was mailed does not provide a postmark onthat ballot.

16 (f) (1) A ballot may not be rejected by the board except by the unanimous vote
17 of the entire board.

18 (2) If the intent of the voter is not clearly demonstrated, only the vote for
19 that office or question shall be rejected.

20 (3) If the board of canvassers determines a ballot is intentionally marked
21 with an identifying mark the entire ballot shall not be counted.

22 (4) Any ballot received by mail after the deadlines establishedin
23 subsections (c) and (d) of this section may not be counted.

24 (5) This canvass shall be conducted by election district or ward or by
25 congressional, councilmanic, or legislative districts.

26 [(6) Absentee ballots may not be separately disclosed or reported by
27 precinct.

28 (7) All voters' applications, affidavits, certifications, ballot envelopes and
29 ballots shall be kept separate and apart from ballots cast at the regular voting places and
30 retained after the date of election at which they were cast for the time required by federal
31 law, unless prior to that time, the board is ordered by a court of competent jurisdiction, to
32 keep the same for any longer period.]

33 [(8)] (6) The several boards may appoint such numbers of temporary judges
34 as the boards may deem necessary to adequately and promptly carry out the provisions of
35 this section.

36 (g) Any [absentee] ballot voted for a person who has ceased to be a candidate
37 shall not be counted for such candidate but such vote shall not invalidate the remainder
38 of such ballot.

10

1 (h) If [an absentee] A ballot envelope is delivered to the wrong board, such
 2 board shall immediately send said ballot envelope unopened, unmarked and unchanged
 3 in any way to the proper board.

4 (i) (1) Whenever any board shall determine from proof or investigation that
 5 any person who has marked and transmitted or deposited in person with the board [an
 6 absentee] A ballot, whether under act of Congress or the provisions of this subtitle, has
 7 died before election day, said board shall not count the ballot of the said deceased voter,
 8 but it shall be preserved by the board for the time required by federallaw, and may then
 9 be destroyed, unless prior to that time the board is ordered by a court of competent
 10 jurisdiction to keep the same for any longer period.

11 (2) If at or prior to the time of such counting and canvassing the board shall
 12 not have determined that the [absentee resident who marked a ballot] VOTER had died
 13 before election day, said ballot shall be counted, and the fact that said [absentee]
 14 resident may later be shown to have been actually dead on election day shall not
 15 invalidate said ballot or said election.

16 (j) (1) If the board determines that the provisions for filling out and signing the
 17 oath on the outside of the ballot envelope have been substantially complied with and that
 18 the person signing the voter's oath is entitled to vote under this subtitle in any precinct of
 19 their respective county or city, as the case may be, and has not already voted therein on
 20 election day, they shall open the ballot envelope and remove the ballot therefrom and the
 21 ballot shall be placed by the board in a secure place to which the public has no access.

22 (2) When any ballot envelope is opened, the board shall enter in the
 23 appropriate register the fact that the voter whose name appears thereon has voted[, using
 24 the initials "A.B." to indicate the vote has been by absentee ballot].

25 (3) If there be more than one ballot in the ballot envelope, all shall be
 26 rejected except when two elections are held on the same day and a voter is voting in both
 27 elections and the voter returns both [absentee] ballots in the ballot envelope provided.

28 (4) [Absentee ballots] BALLOTS may be marked by any kind of pencil or
 29 ink.

30 (k) If any board receives from the same person prior to the deadline for receipt of
 31 [absentee] ballots more than one [absentee] ballot, it shall count, certify and canvass
 32 only the [absentee] ballot contained in the ballot envelope [on which the voter's oath
 33 was first executed] WITH THE EARLIER DATE, and if [the oath on] two or more of the
 34 ballot envelopes containing [absentee] ballots are dated the same or if both are undated,
 35 none of the ballots received from such person shall be counted.

36 27-10.

37 (a) Contests concerning registration, voting or the validity of any ballot under this
 38 subtitle shall be decided by the board having jurisdiction of the matter.

39 (b) No registration shall be denied and no ballot rejected except by the
 40 unanimous vote of the entire board.

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1 (c) Any candidate or [absentee] voter aggrieved by any decision or action of such
2 board shall have the right of appeal to the circuit court for the county to review such
3 decision or action, and jurisdiction to hear and determine such appeals hereby
4 conferred upon said courts.

5 (d) Such appeals shall be taken by way of petition filed with the appropriate court
6 within five days from the date of the completion of the official canvass by any board of all
7 the votes cast at any election and shall be heard de novo and without a jury by said court
8 as soon as possible.

9 (e) There shall be a further right of appeal to the Court of Special Appeals,
10 provided such appeal shall be taken within 48 hours from the entry of the decision of the
11 lower court complained of, and all such appeals shall be heard and decided on the
12 original papers, including a typewritten transcript of the testimony taken in such cases, by
13 the Court of Special Appeals, as soon as possible after the same have been transmitted to
14 that Court.

15 (f) The original papers, including the testimony, shall be transmitted to the Court
16 of Special Appeals within 5 days from the taking of the appeal.

17 27-11.

18 The State Administrative Board of Election Laws and the boards are hereby
19 severally authorized and empowered to do any and all acts, the carrying out of which is
20 committed to them by any act of Congress providing for voting [by persons who are
21 absentee voters], and to accept and expend any funds made available to them or to the
22 State of Maryland by Congress for the purpose of defraying the costs and expenses
23 incurred in connection therewith, including their services. The State Administrative
24 Board of Election Laws and the several boards are hereby severally authorized and
25 empowered to use any and all facilities that may be furnished by the United States or any
26 department, commission or agency thereof, pursuant to any act of Congress or otherwise,
27 for the purpose of transmitting to and from [absentee] voters applications for
28 [absentee] ballots, envelopes, instructions and all other printed matter that may be
29 permitted to be transmitted by any act of Congress and generally to cooperate in every
30 way with military and civil officers of the United States and with all such departments,
31 commissions and agencies thereof in order to enable such persons to vote.

32 27-12.

33 If any act or acts of Congress, now or hereafter in effect, providing for voting by
34 mail [of all or any of the persons who are absentee residents or voters, as defined in this
35 subtitle,] requires the execution of an oath on the ballot envelope, or otherwise, or
36 requires other printing on any of said ballot material, which is different from that
37 required on the ballot envelope or other ballot material as provided in this subtitle, such
38 ballot if completed in accordance with such act of Congress, whether or not completed in
39 accordance with this subtitle, shall be accepted as having complied with the requirements
40 of this subtitle, provided any such change does not conflict with any provision of the
41 Constitution of this State and shall not provide or prescribe any oath which would not
42 furnish the information needed to enable any board to register the affiant as a qualified
43 voter under the Constitution of this State.

12

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 January 1, 1997.