
By: Montgomery County Delegation

Introduced and read first time: February 19, 1997
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Election Judges - Hours**
3 **MC 737-97**

4 FOR the purpose of providing a certain exception to the requirement that election judges
5 serve on election day until the completion of the counting of all ballots and returns;
6 and authorizing the Montgomery County Board of Election Supervisors to allow an
7 election judge in Montgomery County, other than a chief judge, to serve on election
8 day for a certain number of hours.

9 BY repealing and reenacting, with amendments,
10 Article 33 - Election Code
11 Section 2-8
12 Annotated Code of Maryland
13 (1993 Replacement Volume and 1996 Supplement)

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

16 **Article 33 - Election Code**

17 2-8.

18 (a) If any judge shall not be present at the expiration of fifteen minutes after the
19 time for the opening of the polls, the judge or judges present shall fill the place of the
20 absent judge by appointing in his stead a person registered in the same manner with
21 respect to party affiliation as the absentee. One of the judges shall administer to such
22 substitute the oath required of the judge originally appointed.

23 (b) (1) (I) [After] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
24 PARAGRAPH, AFTER the opening of the polls, a judge may not absent himself until all
25 the ballots cast have been counted and the returns completed. In case of absolute
26 necessity, if any judge in attendance is compelled to absent himself, he shall appoint some
27 fit person registered in the same manner with respect to party affiliation as himself to act
28 in his stead until his return, having first administered to the substitute the same oath as
29 he himself has taken.

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1 (II) IN MONTGOMERY COUNTY, THE BOARD OF ELECTION
2 SUPERVISORS MAY AUTHORIZE AN ELECTION JUDGE, OTHER THAN A CHIEF JUDGE,
3 TO SERVE FOR 8 HOURS ON ELECTION DAY.

4 (2) A judge who is appointed to serve in a district, ward, or precinct other
5 than the one in which he is registered to vote and who chooses to vote shall cast his vote
6 by absentee ballot pursuant to § 27-1(a).

7 (c) Blank forms for the appointment of the substitute judges and the oath
8 aforesaid shall be supplied by the board, and the oath when administered shall be
9 preserved and returned by the judges to the board.

10 (d) The appointment and swearing in of all such substitutes and the reason
11 therefor and the time when such substitute began and ceased to serve shall be noted by
12 the judges on loose-leaf pages inserted in the binders containing the precinct cards; such
13 substitute shall cease to act whenever the judge in whose stead he was appointed shall be
14 present.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 1997.