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By: **Montgomery County Delegation**  
Introduced and read first time: February 12, 1998  
Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Election Judges - Hours**  
3 **MC 808-98**

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

10 BY repealing and reenacting, with amendments,  
11 Article 33 - Election Code  
12 Section 2-8  
13 Annotated Code of Maryland  
14 (1997 Replacement Volume and 1997 Supplement)

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

17 **Article 33 - Election Code**

18 2-8.

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

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

1 himself to act in his stead until his return, having first administered to the substitute  
2 the same oath as he himself has taken.

3 (II) IN MONTGOMERY COUNTY, THE BOARD OF ELECTION  
4 SUPERVISORS MAY AUTHORIZE AN ELECTION JUDGE, OTHER THAN A CHIEF JUDGE,  
5 TO SERVE FOR LESS THAN A FULL DAY.

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

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

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
18 effect January 1, 1999.