

HOUSE BILL 907

Unofficial Copy  
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HB 1314/97 - CGM

1998 Regular Session  
8lr0361

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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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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 17, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Montgomery County - Election Judges - Hours~~  
3 ~~MC 808-98~~  
4 Election Judges - Appointment Process, Hours of Service, and  
5 Compensation

6 FOR the purpose of providing a ~~certain exception to the requirement that election~~  
7 ~~judges serve on election day until the completion of the counting of all ballots~~  
8 ~~and returns; authorizing the Montgomery County Board of Election Supervisors~~  
9 ~~to allow an election judge in Montgomery County, other than a chief judge, to~~  
10 ~~serve on election day for less than a full day that a county board of elections may~~  
11 ~~adopt guidelines that provide for the appointment of certain election judges to~~  
12 ~~serve less than a full day and to be paid accordingly; and providing for a delayed~~  
13 ~~effective date.~~

14 BY repealing and reenacting, with amendments,  
15 Article 33 - Election Code  
16 Section ~~2-8~~ 10-202(d)  
17 Annotated Code of Maryland  
18 (1997 Replacement Volume and 1997 Supplement)  
19 (As enacted by Chapter \_\_\_\_\_ (S.B. 118/H.B. 127) of the Acts of the General  
20 Assembly of 1998)

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

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## Article 33 - Election Code

2 ~~2-8.~~

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

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

15 ~~(H) IN MONTGOMERY COUNTY, THE BOARD OF ELECTION~~  
 16 ~~SUPERVISORS MAY AUTHORIZE AN ELECTION JUDGE, OTHER THAN A CHIEF JUDGE,~~  
 17 ~~TO SERVE FOR LESS THAN A FULL DAY.~~

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

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

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

29 10-202.

30 (d) A local board may adopt guidelines consistent with the provisions of this  
 31 title for the determination of the qualifications of persons considered for appointment  
 32 and for the process of appointment as election judges. TO THE EXTENT NOT  
 33 INCONSISTENT WITH THIS SUBTITLE, THE GUIDELINES MAY PROVIDE FOR THE  
 34 APPOINTMENT OF AN ELECTION JUDGE, OTHER THAN THE CHIEF JUDGE, TO SERVE  
 35 FOR LESS THAN A FULL DAY AND FOR THE JUDGE TO BE COMPENSATED, ON A PRO  
 36 RATA BASIS, IN ACCORDANCE WITH THE FEES SET UNDER § 10-205 OF THIS SUBTITLE  
 37 FOR A JUDGE SERVING A FULL DAY.

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

