
By: **Prince George's County Delegation**
Introduced and read first time: February 5, 1999
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Elections - Absentee Ballots - Removal of**
3 **Eligibility Requirements**
4 **PG 401-99**

5 FOR the purpose of removing, in Prince George's County, certain eligibility
6 requirements for voting by absentee ballot; removing the requirement that, in
7 Prince George's County, an applicant specify the reason for voting by absentee
8 ballot; and generally relating to broadening the eligibility for voting by absentee
9 ballot in Prince George's County.

10 BY repealing and reenacting, with amendments,
11 Article 33 - Election Code
12 Section 9-304 and 9-305
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1998 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 9-304.

19 (a) [A] SUBJECT TO SUBSECTION (C) OF THIS SECTION, A registered voter
20 may vote by absentee ballot at an election if the voter:

21 (1) Will be absent on election day from the county in which the voter is
22 registered;

23 (2) Because of accident, illness, or physical disability, will be unable to go
24 to the polling place on election day;

25 (3) Because of confinement in or restriction to an institution, will be
26 prevented from going to the polling place on election day;

1 (4) Because of a death or serious illness in the voter's immediate family,
2 will be unable to go to the polling place on election day;

3 (5) Is a full-time student at an institution of higher education located
4 outside the voter's precinct but within the county of registration, and academic
5 requirements prevent the voter from going to the polling place on election day; or

6 (6) Because of employment by or service as an official of the State Board
7 or a local board, is required to be absent from the precinct in which the voter is
8 registered to vote on election day.

9 (b) An individual may vote by absentee ballot if authorized under an
10 applicable federal law.

11 (C) IN PRINCE GEORGE'S COUNTY, ANY REGISTERED VOTER MAY VOTE BY
12 ABSENTEE BALLOT UNDER THIS SUBTITLE REGARDLESS OF THE REASON THE VOTER
13 CHOOSES TO DO SO IF THE VOTER COMPLETES THE NECESSARY APPLICATION.

14 9-305.

15 (a) An application for an absentee ballot, signed by the voter, may be made:

16 (1) On a form produced by the local board and supplied to the voter on
17 request;

18 (2) On a form provided under federal law; or

19 (3) In a written request that includes:

20 (i) The voter's name and residence address;

21 (ii) The address to which the ballot is to be mailed, if different from
22 the residence address; and

23 (iii) The reason, as authorized in § 9-304 of this subtitle, for
24 absentee voting.

25 (b) Except for a late application under subsection (c) of this section, an
26 application for an absentee ballot must be received by a local board not later than the
27 Tuesday preceding the election, at the time specified in the guidelines.

28 (c) (1) Beginning on the Wednesday preceding the election, through the
29 closing of the polls on election day, a registered voter or the voter's duly authorized
30 agent may apply in person for an absentee ballot at the office of the local board if the
31 voter is qualified for absentee voting under § 9-304 of this subtitle or § 10-102 of this
32 article.

33 (2) A special application for an absentee ballot issued under this
34 subsection shall be supplied by the staff of the local board to the voter or the voter's
35 duly authorized agent.

1 (3) The application shall be made under penalty of perjury, but without a
2 formal oath, specifying the reason for absentee voting, EXCEPT THAT IN PRINCE
3 GEORGE'S COUNTY THE VOTER NEED NOT GIVE A REASON FOR REQUESTING THE
4 ABSENTEE BALLOT.

5 (4) After review of the application, if the staff of the local board finds
6 that the voter qualifies for absentee voting, the staff shall issue an absentee ballot to
7 the voter or the voter's duly authorized agent.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
9 effect October 1, 1999.