
By: **Prince George's County Delegation**
Introduced and read first time: February 4, 2002
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 406-02**

5 FOR the purpose of exempting registered voters, in Prince George's County, from
6 certain eligibility requirements for voting by absentee ballot; exempting
7 registered voters in Prince George's County from the requirement that an
8 applicant specify the reason for voting by absentee ballot; providing for the
9 termination of certain provisions of this Act; and generally relating to expanding
10 the eligibility for voting by absentee ballot in Prince George's County.

11 BY repealing and reenacting, with amendments,
12 Article 33 - Election Code
13 Section 9-304 and 9-305
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2001 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Election Law
18 Section 9-304 and 9-305
19 Annotated Code of Maryland
20 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2002)

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

23 **Article 33 - Election Code**

24 9-304.

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

1 (1) May be absent on election day from the county in which the voter is
2 registered;

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

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

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

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

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

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

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

20 9-305.

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

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

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

25 (3) In a written request that includes:

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

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

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

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

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

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

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

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

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

18 **Article - Election Law**

19 9-304.

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

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

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

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

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

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

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

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

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

6 9-305.

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

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

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

11 (3) In a written request that includes:

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

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

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

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

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

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

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

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

1 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act
2 shall take effect October 1, 2002. It shall remain effective until the taking effect of
3 Section 2 of this Act. If Section 2 of this Act takes effect, Section 1 of this Act shall be
4 abrogated and of no further force and effect.

5 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the
6 provisions of Section 3 of this Act, this Act shall take effect January 1, 2003.