
By: **Senator Stone (Chairman, Ethics and Election Law Subcommittee)**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2003

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Facilities of Local Boards**

3 FOR the purpose of ~~specifying that~~ requiring local boards of elections ~~shall to locate~~
4 their employees and operations in one contiguous office space and maintain an
5 ~~office and be open for business in accordance with the direction of the State~~
6 Board of Elections; requiring local boards to provide certain supplies and
7 ~~equipment considered necessary by the State Board~~ a storage facility, consistent
8 with certain guidelines established by certain departments; providing for a
9 delayed effective date; and generally relating to the ~~administration~~ facilities of
10 local boards of elections.

11 BY repealing and reenacting, with amendments,
12 Article - Election Law
13 Section 2-202
14 Annotated Code of Maryland
15 (2003 Volume)

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

18 **Article - Election Law**

19 2-202.

20 (a) Except for the City of Baltimore, the provisions of this section do not apply
21 to a municipal corporation in the State in which the municipal or charter elections are
22 regulated by the public local laws of the State or the charter of the municipal
23 corporation.

1 (b) Each local board, in accordance with the provisions of this article and
2 regulations adopted by the State Board, shall:

3 (1) oversee the conduct of all elections held in its county and ensure that
4 the elections process is conducted in an open, convenient, and impartial manner;

5 (2) pursuant to the State Personnel and Pensions Article, or its county
6 merit system, whichever is applicable, appoint an election director to manage the
7 operations and supervise the staff of the local board;

8 (3) CONSISTENT WITH THE GUIDELINES ESTABLISHED BY THE
9 DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF BUDGET AND
10 MANAGEMENT IN THE FACILITY PROGRAM MANUAL:

11 (I) LOCATE ALL EMPLOYEES AND OPERATIONS IN ONE
12 CONTIGUOUS OFFICE SPACE; AND

13 (II) MAINTAIN A STORAGE FACILITY;

14 ~~(3)~~ (4) ~~maintain an office and~~ be open for business as provided in this
15 article ~~AND AS DIRECTED BY THE STATE BOARD,~~ and provide the supplies and
16 equipment necessary ~~IN THE JUDGMENT OF THE STATE BOARD~~ for the proper and
17 efficient conduct of voter registration and [election] ELECTIONS, including:

18 (i) supplies and equipment ~~required by the State Board~~; and

19 (ii) office and polling place equipment expenses;

20 ~~(4)~~ (5) adopt any regulation it considers necessary to perform its duties
21 under this article, which regulation shall become effective when it is filed with and
22 approved by the State Board;

23 ~~(5)~~ (6) serve as the local board of canvassers and certify the results of
24 each election conducted by the local board;

25 ~~(6)~~ (7) establish and alter the boundaries and number of precincts in
26 accordance with § 2-303 of this title, and provide a suitable polling place for each
27 precinct, and assign voters to precincts;

28 ~~(7)~~ (8) provide to the general public timely information and notice, by
29 publication or mail, concerning voter registration and elections;

30 ~~(8)~~ (9) make determinations and hear and decide challenges and
31 appeals as provided by law;

32 ~~(9)~~ (10) (i) aid in the prosecution of an offense under this article; and

33 (ii) when the board finds there is probable cause to believe an
34 offense has been committed, refer the matter to the appropriate prosecutorial
35 authority; and

1 ~~(10)~~ (11) maintain and dispose of its records in accordance with the plan
2 adopted by the State Board under § 2-106 of this title.

3 (c) In Garrett County, following each decennial census of the United States,
4 the local board shall:

5 (1) evaluate the population of the county commissioner districts to
6 determine whether the districts are of substantially equal population; and

7 (2) recommend to the Garrett County Delegation to the General
8 Assembly any adjustments of the boundaries of those districts that are necessary to
9 maintain districts of substantially equal population.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 ~~October 1, 2003~~ January 1, 2004.