

BY: Senator Mooney

AMENDMENTS TO SENATE BILL NO. 478

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Early”; in line 3, after “of” insert “requiring that certain voting systems produce a paper record of a voter’s ballot choices and provide the voter with an opportunity to inspect, verify, and correct certain errors in the paper record; requiring that the paper records be preserved at the polling place in a certain manner so that the paper records may later be used in a manual recount if necessary; requiring the State Board of Elections to conduct a comparison of certain ballots in a random sampling of election districts;”; in line 9, strike “early”; after line 9, insert:

“BY repealing and reenacting, without amendments,

Article - Election Law

Section 1-101(s)

Annotated Code of Maryland

(2003 Volume and 2004 Supplement)”;

and in line 12, after “Section” insert “9-106 and”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“1-101.

(s) (1) “Document ballot” means a ballot used with a voting system in which the voter individually is issued a ballot on which to indicate one or more votes.

(2) “Document ballot” includes:

(Over)

- (i) a machine-read ballot, such as an optically scanned ballot; and
- (ii) a hand-counted paper ballot.

9-106.

(A) (1) A VOTING SYSTEM THAT DOES NOT USE A DOCUMENT BALLOT SHALL PRODUCE A PAPER RECORD THAT SHALL BE MADE AVAILABLE FOR INSPECTION AND VERIFICATION BY THE VOTER AT THE TIME THE VOTE IS CAST.

(2) THE VOTER-VERIFIED PAPER RECORD SHALL BE PRESERVED WITHIN THE POLLING PLACE IN THE MANNER THAT ALL OTHER DOCUMENT BALLOTS ARE PRESERVED WITHIN THE POLLING PLACE ON ELECTION DAY FOR LATER USE IN A MANUAL RECOUNT.

(B) A VOTER WHO RECEIVES A VOTER-VERIFIED PAPER RECORD IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION MAY REVIEW THE PERMANENT PAPER RECORD AND CORRECT ANY ERROR MADE BY THE SYSTEM BEFORE THE PAPER RECORD IS PRESERVED FOR USE IN A MANUAL RECOUNT.

(C) THE VOTER-VERIFIED PAPER RECORD PRODUCED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE AVAILABLE AS AN OFFICIAL RECORD AND SHALL BE THE OFFICIAL RECORD USED FOR A RECOUNT CONDUCTED WITH RESPECT TO AN ELECTION WHEN THE SYSTEM IS USED.

(D) IN A RANDOM SAMPLING OF 2% OF THE TOTAL NUMBER OF PRECINCTS WITHIN EACH LEGISLATIVE DISTRICT THAT PRODUCE VOTER-VERIFIED PAPER RECORDS, THE STATE BOARD SHALL COMPARE THE VOTER-VERIFIED PAPER RECORDS AGAINST THE ELECTRONICALLY RECORDED RESULTS IN THOSE PRECINCTS TO VERIFY THAT THE ELECTRONICALLY RECORDED RESULTS ACCURATELY REFLECT THE RESULTS INDICATED IN THE VOTER-VERIFIED PAPER RECORDS.”.