
By: **Senators Miller, Conway, Currie, Dyson, Exum, Frosh, Garagiola,
Green, Hogan, Hollinger, Middleton, and Ruben**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Early Voting**

3 FOR the purpose of establishing a process to allow voters to vote in elections at early
4 voting polling places in the State; specifying the period in which early voting is
5 allowed; specifying criteria and procedures to guide the State Administrator of
6 Elections in setting the number and location of early voting polling places for
7 each election; requiring the State Board of Elections to adopt certain regulations
8 and guidelines; making certain provisions of law applicable to early voting; and
9 generally relating to early voting in elections in the State.

10 BY adding to

11 Article - Election Law

12 Section 10-301.1

13 Annotated Code of Maryland

14 (2003 Volume and 2004 Supplement)

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

17 **Article - Election Law**

18 10-301.1.

19 (A) EXCEPT AS PROVIDED UNDER TITLE 9, SUBTITLE 3 OF THIS ARTICLE, A
20 VOTER SHALL VOTE:

21 (1) IN THE VOTER'S ASSIGNED PRECINCT ON ELECTION DAY; OR

22 (2) IN AN EARLY VOTING POLLING PLACE AS PROVIDED IN THIS
23 SECTION.

24 (B) EACH EARLY VOTING POLLING PLACE SHALL BE OPEN FOR VOTING:

25 (1) BEGINNING THE EIGHTH DAY BEFORE A PRIMARY OR GENERAL
26 ELECTION THROUGH THE FRIDAY BEFORE THE ELECTION; AND

1 (2) 8 HOURS EACH DAY DURING THE PERIOD SPECIFIED UNDER
2 PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING EACH SATURDAY AND SUNDAY.

3 (C) (1) WITH THE ADVICE OF THE LOCAL ELECTION DIRECTOR, THE STATE
4 ADMINISTRATOR SHALL SET THE NUMBER OF EARLY VOTING POLLING PLACES THAT
5 EACH LOCAL BOARD MUST ESTABLISH.

6 (2) THE GEOGRAPHIC LOCATION OF EARLY VOTING POLLING PLACES
7 SHALL BE SELECTED IN EQUAL PROPORTIONS BY:

8 (I) THE PRINCIPAL MAJORITY POLITICAL PARTY; AND

9 (II) THE PRINCIPAL MINORITY POLITICAL PARTY.

10 (3) IF THE NUMBER OF POLLING LOCATIONS IS NOT EQUALLY DIVISIBLE
11 BY THREE:

12 (I) THE NUMBER OF GEOGRAPHIC LOCATIONS SELECTED BY THE
13 PRINCIPAL PARTIES SHALL BE EQUAL; AND

14 (II) THE NUMBER OF GEOGRAPHIC LOCATIONS SELECTED BY THE
15 LOCAL BOARD SHALL BE LESS THAN, BY NO MORE THAN TWO, THE NUMBER
16 SELECTED BY ONE PRINCIPAL PARTY.

17 (4) (I) POLLING PLACES ESTABLISHED BY A LOCAL BOARD SHALL
18 MEET THE REQUIREMENTS OF § 10-101 OF THIS TITLE.

19 (II) IF A LOCAL BOARD CANNOT ESTABLISH A POLLING PLACE IN
20 THE GEOGRAPHIC LOCATION REQUESTED UNDER THIS SUBSECTION, THE
21 REQUESTING ENTITY MAY MAKE ANOTHER REQUEST.

22 (D) (1) A VOTER MAY VOTE AT ANY EARLY VOTING POLLING LOCATION IN
23 THE VOTER'S COUNTY OF RESIDENCE.

24 (2) THE LOCAL BOARD SHALL ENSURE THAT EVERY BALLOT STYLE
25 USED IN THE COUNTY FOR THE ELECTION IS AVAILABLE AT THE EARLY VOTING
26 POLLING LOCATIONS.

27 (E) THE STATE BOARD SHALL ADOPT REGULATIONS AND GUIDELINES FOR
28 THE CONDUCT OF EARLY VOTING.

29 (F) ANY PROVISION OF THIS ARTICLE THAT APPLIES TO ELECTION DAY ALSO
30 SHALL APPLY TO EARLY VOTING.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2005.