
By: **Delegates Bates, Aumann, Boteler, Cluster, Frank, Hogan, Miller,
Shewell, and Weldon**

Introduced and read first time: February 23, 2006

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Deadline for Certification of Ballot and Election Results**

3 FOR the purpose of altering the deadline for the certification of the election ballot and
4 certain election results; and generally relating to the certification of the election
5 ballot and election results.

6 BY repealing and reenacting, with amendments,
7 Article - Election Law
8 Section 9-207 and 11-401
9 Annotated Code of Maryland
10 (2003 Volume and 2005 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article - Election Law
13 Section 11-501(a) and 11-605
14 Annotated Code of Maryland
15 (2003 Volume and 2005 Supplement)

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 9-207.

20 (a) The State Board shall certify the content and arrangement of each ballot:

21 (1) for a primary election:

22 (i) in the year that the President of the United States is elected, at
23 least 42 days before the election; and

24 (ii) in any other year, at least 50 days before the election;

1 (2) for a general election:

2 (i) in the year that the President of the United States is elected, at
3 least 55 days before the election; and

4 (ii) in any other year, not more than [18] 32 days after the primary
5 election;

6 (3) for a special primary election, at least 18 days before the election; and

7 (4) for a special general election, not later than a date specified in the
8 Governor's proclamation.

9 (b) The Court of Appeals, on petition of the State Board, may establish a later
10 date in extraordinary circumstances.

11 (c) Within 48 hours after certification, the State Board shall deliver to each
12 local board a copy of the certified ballot content and arrangement for that county.

13 (d) (1) Within 5 days after the certification, or a later date that the Court of
14 Appeals establishes in extraordinary circumstances on petition of the State Board, a
15 local board shall:

16 (i) prepare the arrangement for all ballots to be used in the county,
17 using the arrangement prescribed by the State Board; and

18 (ii) display the content and arrangement, in a manner that is
19 accessible to the public, on all days that the office is open through the day of the
20 election.

21 (2) Except pursuant to a court order under § 9-209 of this subtitle, or as
22 provided in § 9-208 of this subtitle, the content and arrangement of the ballot may
23 not be modified after the third day of the public display.

24 (e) Unless a delay is required by court order, a local board may begin to print
25 the ballots after 3 days of public display and, with the approval of the State Board,
26 correction of any noted errors.

27 11-401.

28 (a) (1) After each election, each board of canvassers shall transmit one
29 certified copy of the election results in its county, attested by the signatures of the
30 chairperson and secretary of the board of canvassers, to:

31 (i) the Governor;

32 (ii) the State Board; and

33 (iii) the clerk of the circuit court for the appropriate county.

34 (2) The statement may be mailed or delivered in person.

1 (b) After each general election in which votes have been cast for a write-in
2 candidate, each board of canvassers shall transmit a statement of returns of the votes
3 cast for write-in candidates who have filed a certificate of candidacy.

4 (c) (1) The transmittal shall be made on the [second] FOURTH Friday after
5 a primary or general election or, if the canvass is completed after that date, within 48
6 hours after the completion of the canvass.

7 (2) (i) Except as specified in subparagraph (ii) of this paragraph, after
8 a special primary or special election, the transmittal shall be made as soon as
9 possible, but no later than the [second] FOURTH Thursday after the election.

10 (ii) After a special primary or special election that is held at the
11 same time as a primary or general election, the transmittal shall be made in
12 accordance with paragraph (1) of this subsection.

13 (d) The clerk of the circuit court shall record the election results filed with the
14 court under this section.

15 11-501.

16 (a) Following each gubernatorial primary or special primary election to fill a
17 vacancy in the office of Representative in Congress, the State Board shall:

18 (1) convene within 2 days after the certified official election results are
19 received from the local boards;

20 (2) if a majority of the members of the State Board is not present,
21 adjourn for not more than 1 day;

22 (3) determine which candidates, by the greatest number of votes, have
23 been nominated to each office and which questions have received a sufficient number
24 of votes to be adopted or approved; and

25 (4) prepare and certify statewide election results based on the certified
26 copies of the statements made by the boards of canvassers.

27 11-605.

28 (a) In a county, municipal corporation, or other political subdivision in which a
29 referendum vote is held on a law, ordinance, or resolution, the executive head of the
30 county, municipal corporation, or other political subdivision promptly shall report the
31 results of the referendum to the clerk of the court for the county.

32 (b) As promptly as possible thereafter, the clerk of the court shall certify the
33 results of the referendum to the State Board.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2006.