

SB0392/185467/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 392
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “clarifying” in line 7 down through “disabilities” in line 9 and substitute “requiring that certain voting systems be accessible to certain individuals with disabilities; requiring the State Board to provide certain training on the voting system to election judges”; in line 24, after “9-102” insert “ and 10-206”.

AMENDMENT NO. 2

On page 14, strike beginning with “, INCLUDING” in line 8 down through “DISABILITIES” in line 16; after line 17, insert:

“(F) A VOTING SYSTEM SELECTED, CERTIFIED, AND IMPLEMENTED UNDER THIS SECTION SHALL:

(1) PROVIDE ACCESS TO VOTERS WITH DISABILITIES THAT IS EQUIVALENT TO ACCESS AFFORDED VOTERS WITHOUT DISABILITIES WITHOUT CREATING A SEGREGATED BALLOT FOR VOTERS WITH DISABILITIES;

(2) ENSURE THE INDEPENDENT, PRIVATE CASTING, INSPECTION, VERIFICATION, AND CORRECTION OF SECRET BALLOTS BY VOTERS WITH DISABILITIES IN AN ACCESSIBLE MEDIA BY BOTH VISUAL AND NONVISUAL MEANS, INCLUDING SYNCHRONIZED AUDIO OUTPUT AND ENHANCED VISUAL DISPLAY; AND

(3) COMPLY WITH BOTH THE AMERICANS WITH DISABILITIES ACT, P.L. 101-336, AND THE HELP AMERICA VOTE ACT, P.L. 107-252,

(Over)

INCLUDING ACCESSIBILITY STANDARDS ADOPTED AS PART OF THE VOLUNTARY VOTING SYSTEM GUIDELINES PURSUANT TO THE HELP AMERICA VOTE ACT.

(G) (1) AT LEAST ONE VOTING SYSTEM IN EACH POLLING PLACE ON ELECTION DAY SHALL PROVIDE ACCESS FOR VOTERS WITH DISABILITIES IN COMPLIANCE WITH SUBSECTION (F) OF THIS SECTION.

(2) THE STATE BOARD SHALL ENSURE THAT ADEQUATE BACKUP EQUIPMENT IS AVAILABLE AND CONTINGENCY PLANS ARE ESTABLISHED TO ENSURE COMPLIANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

(H) BEFORE THE SELECTION OF A VOTING SYSTEM, THE STATE BOARD SHALL:

(1) ENSURE THAT AN ACCESSIBLE VOTING SYSTEM CONFORMS TO THE ACCESS REQUIREMENTS OF THE VOLUNTARY VOTING SYSTEM GUIDELINES DEVELOPED IN ACCORDANCE WITH THE HELP AMERICA VOTE ACT IN EFFECT AT THE TIME OF SELECTION; AND

(2) CONDUCT AN ACCESSIBILITY AND USABILITY EVALUATION OF THE VOTING SYSTEM TO ASSESS ITS ACCESSIBILITY AND USABILITY BY VOTERS WITH DISABILITIES, INCLUDING:

(I) A PUBLIC DEMONSTRATION OF THE SYSTEM; AND

(II) AN EVALUATION BY INDIVIDUALS REPRESENTING A CROSS-SECTION OF VOTERS WITH DISABILITIES.”.

AMENDMENT NO. 3

On page 14, in line 18, strike “(F)” and substitute “(I)”.

AMENDMENT NO. 4

On page 15, after line 24, insert:

“10–206.

(a) In consultation with the local boards, the State Board shall:

- (1) develop a program of instruction of election judges; and
- (2) oversee the implementation of the program of instruction.

(b) The training materials utilized by the program may include:

- (1) an instruction manual and other written directives;
- (2) curriculum for training sessions; and
- (3) audiovisuals.

(c) The State Board shall develop a process for the evaluation of the training program and the performance of the polling place staff in each county.

(d) To the extent appropriate, the training program shall be specific to each of the voting systems used in polling places in the State.

(E) (1) THE STATE BOARD SHALL PROVIDE ELECTION JUDGES WITH UNIFORM STATEWIDE TRAINING ON THE VOTING SYSTEM, INCLUDING:

(I) ALL FEATURES OF THE VOTING SYSTEM THAT PROVIDE ACCESS TO VOTERS WITH DISABILITIES; AND

(Over)

**(II) THE RIGHTS OF VOTERS WITH DISABILITIES, INCLUDING
THOSE RIGHTS GUARANTEED BY STATE AND FEDERAL LAW.**

~~[(e)]~~ **(F)** Each local board shall conduct election judge training based on the program developed by the State Board.

~~[(f)]~~ **(G)** **(1)** Except as provided in paragraph (2) of this subsection, each election judge shall participate in the training program provided for in subsection (a) of this section.

(2) An election judge who is appointed under emergency circumstances is not required to attend the course of instruction.”.