

SENATE BILL 786

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71r2626

By: **Senators Harris, Rosapepe, and Zirkin**
Introduced and read first time: February 14, 2007
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Absentee Ballots – Mailing Deadlines**

3 FOR the purpose of requiring local boards of elections to send absentee ballots
4 received at certain times by certain deadlines; repealing certain provisions
5 allowing local boards of elections to send certain absentee ballots as soon as
6 practicable under certain circumstances; and generally relating to the sending
7 of absentee ballots.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 9–306
11 Annotated Code of Maryland
12 (2003 Volume and 2006 Supplement)

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

15 **Article – Election Law**

16 9–306.

17 (a) Promptly after receipt of an application, the election director shall review
18 the application and determine whether the applicant qualifies to vote by absentee
19 ballot.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) If the applicant qualifies to vote by absentee ballot[, the local board shall
2 send the ballot]:

3 (1) (I) [as soon as practicable after receipt of the request] **THE**
4 **LOCAL BOARD SHALL SEND THE CORRESPONDING ABSENTEE BALLOT ON OR**
5 **BEFORE THE DAY THAT IS 4 WEEKS BEFORE ELECTION DAY, IF THE LOCAL**
6 **BOARD RECEIVES THE APPLICATION FOR AN ABSENTEE BALLOT ON OR BEFORE**
7 **THE DAY THAT IS 5 WEEKS BEFORE ELECTION DAY; or**

8 (II) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
9 **LOCAL BOARD SHALL SEND THE CORRESPONDING ABSENTEE BALLOT WITHIN 7**
10 **DAYS AFTER RECEIPT OF THE ABSENTEE BALLOT APPLICATION IF THE LOCAL**
11 **BOARD RECEIVES THE ABSENTEE BALLOT APPLICATION AFTER THE DAY THAT**
12 **IS 5 WEEKS BEFORE ELECTION DAY; AND**

13 (2) [if the ballots have not been received from the printer, as soon as
14 practicable after the local board receives delivery of the ballots] **A LOCAL BOARD**
15 **SHALL MAIL THE ABSENTEE BALLOT THAT CORRESPONDS TO AN ABSENTEE**
16 **BALLOT APPLICATION RECEIVED ON OR BEFORE THE TUESDAY BEFORE THE**
17 **ELECTION ON OR BEFORE THE FIFTH DAY BEFORE THE ELECTION.**

18 (c) (1) If the members of the local board determine that the applicant is
19 not entitled to vote by absentee ballot, the local board shall notify the applicant as
20 soon as practicable after receipt of the application of the reasons for the rejection.

21 (2) (i) The local board may delegate the determination under
22 paragraph (1) of this subsection to the staff of the local board.

23 (ii) If the determination has been delegated, the applicant may
24 appeal the rejection to the members of the local board, who shall decide the appeal as
25 expeditiously as practicable.

26 (d) Not more than one absentee ballot may be issued to a voter unless the
27 election director of the local board has reasonable grounds to believe that an absentee
28 ballot previously issued to the voter has been lost, destroyed, or spoiled.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 July 1, 2007.