

HOUSE BILL 1540

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EMERGENCY BILL

0lr3576

By: **Delegates James and Riley**

Rules suspended

Introduced and read first time: March 9, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Early Voting – Number of Early Voting Centers – Determination**

3 FOR the purpose of requiring active and inactive voters to be included in the number
4 of voters used for certain purposes; providing for the application of this Act;
5 making this Act an emergency measure; and generally relating to the
6 determination of the number of early voting centers in each county.

7 BY repealing and reenacting, with amendments,
8 Article – Election Law
9 Section 10–301.1
10 Annotated Code of Maryland
11 (2003 Volume and 2009 Supplement)

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

14 **Article – Election Law**

15 10–301.1.

16 (a) Except as provided under Title 9, Subtitle 3 of this article, during any
17 regularly scheduled primary or general election a voter may vote:

18 (1) in the voter’s assigned precinct on election day; or

19 (2) at an early voting center in the voter’s county of residence on any
20 early voting day in accordance with this section.

21 (b) (1) Each county shall have at least one early voting center established
22 in the county as prescribed in this subsection.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) A county with fewer than 150,000 [registered] **ACTIVE AND**
2 **INACTIVE** voters shall have one early voting center established in the county.

3 (3) A county with more than 150,000 but fewer than 300,000
4 [registered] **ACTIVE AND INACTIVE** voters shall have three early voting centers
5 established in the county.

6 (4) A county with more than 300,000 [registered] **ACTIVE AND**
7 **INACTIVE** voters shall have five early voting centers established in the county.

8 (c) No later than 6 months before a primary election, the State Board, in
9 collaboration with the local board in each county, shall designate each early voting
10 center in that county.

11 (d) Each early voting center shall be open for voting as follows:

12 (1) for the 2010 gubernatorial primary and general elections:

13 (i) beginning the second Friday before a primary or general
14 election through the Thursday before the elections, but excluding Sunday; and

15 (ii) during the hours between 10 a.m. and 8 p.m.; and

16 (2) for the 2012 presidential primary and general elections:

17 (i) beginning the second Saturday before a primary or general
18 election through the Thursday before the elections; and

19 (ii) 1. during the hours between 10 a.m. and 8 p.m. on the
20 Saturday and the Monday through the Thursday during the early voting period; and

21 2. during the hours between 12 noon and 6 p.m. on the
22 Sunday during the early voting period.

23 (e) Each early voting center shall satisfy the requirements of § 10–101 of this
24 title.

25 (f) Beginning 30 days prior to each early voting period the State Board and
26 each local board shall undertake steps to inform the public about early voting and the
27 location of early voting centers in each county, including:

28 (1) a series of public service media announcements;

29 (2) mailings to all registered voters in each county; and

30 (3) other measures as appropriate.

1 (g) Except as expressly provided in this section, any provision of this article
2 that applies to voting on election day also applies to early voting.

3 (h) The State Board shall adopt regulations and guidelines in accordance
4 with the requirements of this section for the conduct of early voting.

5 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
6 requirements of § 10–301.1(c) of the Election Law Article, this Act shall be construed
7 to apply retroactively and shall be applied to and interpreted to affect any election
8 held after January 1, 2010.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
10 measure, is necessary for the immediate preservation of the public health or safety,
11 has been passed by a ye and nay vote supported by three–fifths of all the members
12 elected to each of the two Houses of the General Assembly, and shall take effect from
13 the date it is enacted.