

HB0725/475267/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 725

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “requiring” and substitute “authorizing the Montgomery County Council to direct”; in line 8, strike “active”; in the same line, strike “certain”; in the same line, after “election” insert “conducted by mail unless the voter has requested that the ballot be transmitted by other means”; in line 10, after “ballot,” insert “requiring the local board to send a vote-by-mail ballot to each eligible voter at least a certain number of days before the day of a special election;”; in line 11, after “board;” insert “requiring that vote-by-mail ballots be mailed to the address on file in the statewide voter registration list for each eligible voter except in certain circumstances;”; strike beginning with “requiring” in line 13 down through “voters;” in line 15; in line 16, strike “at least one polling place” and substitute “a certain number of voting centers”; in lines 18 and 19, in each instance, strike “polling place” and substitute “voting center”; in line 19, after “period;” insert “providing that a certain process for applying in person for an absentee ballot at the office of a local board does not apply to a special election conducted by mail; providing that certain provisions of law relating to voting at a polling place on election day also apply to voting at a voting center established under this Act;”; in line 22, after “deadlines” insert “and meet certain requirements”; in line 23, strike “providing for the application of this Act;”; and in line 24, strike “requiring” and substitute “authorizing”.

On page 2, in line 1, strike “9-507” and substitute “9-506”; and in the same line, after “5.” insert “Montgomery County”.

AMENDMENT NO. 2

On page 2, in line 8, after “5.” insert “MONTGOMERY COUNTY”; in line 13, strike “SHALL” and substitute “MAY”; after line 14, insert:

(Over)

“(C) A SPECIAL ELECTION TO FILL A VACANCY IN THE MONTGOMERY COUNTY COUNCIL SHALL BE CONDUCTED BY MAIL IF THE RESOLUTION OF THE MONTGOMERY COUNTY COUNCIL ESTABLISHING THE DATE OF THE SPECIAL ELECTION DIRECTS THAT THE ELECTION BE CONDUCTED BY MAIL.”;

in lines 15 and 21, strike “(C)” and “(D)”, respectively, and substitute “(D)” and “(E)”, respectively; in line 25, strike “THE” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in line 26, strike “ACTIVE”; and after line 27, insert:

“(2) THE LOCAL BOARD IS NOT REQUIRED TO MAIL A VOTE-BY-MAIL BALLOT TO A VOTER IF THE VOTER HAS REQUESTED THAT THE BALLOT BE SENT BY OTHER MEANS.”.

On page 3, after line 5, insert:

“(D) THE LOCAL BOARD SHALL SEND A VOTE-BY-MAIL BALLOT TO EACH ELIGIBLE VOTER AT LEAST 14 DAYS BEFORE THE DAY OF A SPECIAL ELECTION.

(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A VOTE-BY-MAIL BALLOT SHALL BE MAILED TO THE ADDRESS THAT IS ON FILE IN THE STATEWIDE VOTER REGISTRATION LIST FOR EACH ELIGIBLE VOTER.

(2) A REGISTERED VOTER MAY REQUEST TO RECEIVE A VOTE-BY-MAIL BALLOT AT AN ADDRESS OTHER THAN THE ADDRESS THAT IS ON FILE IN THE STATEWIDE VOTER REGISTRATION LIST BY:

(I) SUBMITTING AN ABSENTEE BALLOT APPLICATION IN ACCORDANCE WITH § 9-305(A) OF THIS TITLE NOT LATER THAN THE TUESDAY

PRECEDING THE DAY OF A SPECIAL ELECTION, IF THE VOTER IS TEMPORARILY ABSENT FROM THE ADDRESS THAT IS ON FILE IN THE STATEWIDE VOTER REGISTRATION LIST; OR

(II) NOTIFYING A LOCAL BOARD OF A CHANGE OF ADDRESS NOT LATER THAN THE TUESDAY PRECEDING THE DAY OF A SPECIAL ELECTION, IF THE VOTER'S RESIDENCE HAS CHANGED FROM THE ADDRESS THAT IS ON FILE IN THE STATEWIDE VOTER REGISTRATION LIST TO ANOTHER LOCATION WITHIN THE STATE.”;

in line 6, strike “(D)” and substitute “(F)””; strike in their entirety lines 10 through 26, inclusive; and in line 27, strike “9-504.” and substitute “9-503.”.

AMENDMENT NO. 3

On page 3, strike beginning with “AT” in line 28 down through “PLACE” in line 29 and substitute “VOTING CENTERS”; in line 30, after “ELECTION” insert “IN ACCORDANCE WITH THIS SECTION”; after line 30, insert:

“(B) (1) IN A SPECIAL ELECTION HELD IN A SINGLE COUNTY COUNCIL DISTRICT, AT LEAST THREE VOTING CENTERS SHALL BE ESTABLISHED IN THE COUNTY COUNCIL DISTRICT WHERE THE SPECIAL ELECTION IS BEING HELD.

(2) IN A COUNTYWIDE SPECIAL ELECTION, AT LEAST THREE VOTING CENTERS SHALL BE ESTABLISHED IN EACH COUNTY COUNCIL DISTRICT.”;

in line 31, strike “(B)” and substitute “(C)””; and in the same line, strike “POLLING PLACE” and substitute “VOTING CENTER”.

On page 4, strike beginning with “BE” in line 1 down through “(2)” in line 4; in line 7, strike “AND” and substitute:

“(2) PROVIDE FOR PROVISIONAL VOTING IN ACCORDANCE WITH SUBTITLE 4 OF THIS TITLE;

“(3) SATISFY THE REQUIREMENTS OF § 10-101 OF THIS ARTICLE; AND”;

in line 8, strike “(3)” and substitute “(4)”; strike beginning with “BEGINNING” in line 8 down through “ELECTION” in line 10 and substitute “**DURING THE DAYS AND FOR THE HOURS THAT THE COUNTY COUNCIL DIRECTS IN THE RESOLUTION UNDER § 9-501(C) OF THIS SUBTITLE**”; after line 15, insert:

“(D) THE PROCESS FOR APPLYING IN PERSON FOR AN ABSENTEE BALLOT AT THE OFFICE OF A LOCAL BOARD UNDER § 9-305(C) OF THIS TITLE DOES NOT APPLY TO A SPECIAL ELECTION CONDUCTED BY MAIL.

“(E) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ANY PROVISION OF THIS ARTICLE THAT APPLIES TO VOTING AT A POLLING PLACE ON ELECTION DAY ALSO APPLIES TO VOTING AT A VOTING CENTER ESTABLISHED UNDER THIS SECTION.”;

and in line 16, strike “9-505.” and substitute “**9-504.**”.

On page 5, strike in their entirety lines 1 through 13, inclusive, and substitute:

“9-505.

(A) A VOTE-BY-MAIL BALLOT IS CONSIDERED TIMELY AND MAY BE COUNTED IF THE BALLOT:

(1) IS RETURNED IN PERSON TO THE OFFICE OF THE LOCAL BOARD BY THE VOTER OR THE VOTER'S DULY AUTHORIZED AGENT NO LATER THAN 8 P.M. ON THE DAY OF A SPECIAL ELECTION; OR

(2) (I) IS RECEIVED BY MAIL BY THE LOCAL BOARD NO LATER THAN 10 A.M. ON THE SECOND FRIDAY AFTER A SPECIAL ELECTION; AND

(II) WAS MAILED ON OR BEFORE ELECTION DAY, AS VERIFIED:

1. BY A POSTMARK; OR

2. IF THE RETURN ENVELOPE DOES NOT CONTAIN A POSTMARK OR THE POSTMARK IS ILLEGIBLE, BY THE VOTER'S AFFIDAVIT THAT THE BALLOT WAS MAILED ON OR BEFORE ELECTION DAY.

(B) A VOTE-BY-MAIL BALLOT THAT DOES NOT MEET THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION IS NOT TIMELY AND MAY NOT BE COUNTED.

9-506.”;

and in line 14, strike “SHALL” and substitute “MAY”.