

SENATE BILL 311

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5lr2598
CF HB 226

By: **Senator Rosapepe**

Introduced and read first time: February 5, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Casting of Ballot by Mail – Public Communications**

3 FOR the purpose of requiring the State Board of Elections and local boards of elections to
4 emphasize in public communications certain information about casting a ballot by
5 mail; specifying public communications that are subject to this Act; and generally
6 relating to public awareness of casting a ballot by mail.

7 BY repealing and reenacting, without amendments,
8 Article – Election Law
9 Section 9–303
10 Annotated Code of Maryland
11 (2010 Replacement Volume and 2014 Supplement)

12 BY adding to
13 Article – Election Law
14 Section 9–311.1
15 Annotated Code of Maryland
16 (2010 Replacement Volume and 2014 Supplement)

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

19 **Article – Election Law**

20 9–303.

21 (a) The State Board shall establish guidelines for the administration of absentee
22 voting by the local boards.

23 (b) The guidelines shall provide for:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) the application process;
- 2 (2) late application for absentee ballots;
- 3 (3) ballot security, including storage of returned ballots;
- 4 (4) determining timeliness of receipt of applications and ballots, including
5 applications and ballots for overseas voters;
- 6 (5) the canvass process;
- 7 (6) notice of the canvass to candidates, political parties, campaign
8 organizations, news media, and the general public;
- 9 (7) observers of the process;
- 10 (8) review of voted ballots and envelopes for compliance with the law and
11 for machine tabulation acceptability;
- 12 (9) standards for disallowance of ballots during the canvass; and
- 13 (10) storage and retention of ballots following canvass and certification.

14 (c) The State Board shall:

- 15 (1) in consultation with the local boards, assess the guidelines before each
16 primary election; and
- 17 (2) revise the guidelines if indicated.

18 **9-311.1.**

19 (A) **THE STATE BOARD AND EACH LOCAL BOARD SHALL EMPHASIZE IN**
20 **PUBLIC COMMUNICATIONS THAT:**

- 21 (1) **A VOTER MAY CAST A BALLOT BY MAIL UNDER THIS SUBTITLE;**
- 22 (2) **A VOTER IS NOT REQUIRED TO PROVIDE A REASON WHY THE**
23 **VOTER IS UNABLE TO VOTE IN PERSON AT A POLLING PLACE OR EARLY VOTING**
24 **CENTER TO CAST A BALLOT BY MAIL UNDER THIS SUBTITLE;**
- 25 (3) **A BALLOT CAST BY MAIL UNDER THIS SUBTITLE IS COUNTED IN**
26 **THE SAME MANNER AS ALL OTHER BALLOTS;**
- 27 (4) **CASTING A BALLOT BY MAIL UNDER THIS SUBTITLE IS A SECURE**
28 **METHOD OF VOTING; AND**

1 **(5) CASTING A BALLOT BY MAIL UNDER THIS SUBTITLE IS A**
2 **CONVENIENT OPTION BECAUSE IT:**

3 **(I) ALLOWS A VOTER TO AVOID A POSSIBLE WAIT IN LINE TO**
4 **VOTE AT A POLLING PLACE OR EARLY VOTING CENTER; AND**

5 **(II) PROVIDES AMPLE TIME TO REVIEW EACH CONTEST ON THE**
6 **BALLOT.**

7 **(B) PUBLIC COMMUNICATIONS SUBJECT TO THIS SECTION MAY INCLUDE**
8 **ANY OF THE FOLLOWING, AT THE DISCRETION OF THE STATE BOARD:**

9 **(1) INTERNET SITES OF THE STATE BOARD AND LOCAL BOARDS;**

10 **(2) SPECIMEN BALLOTS;**

11 **(3) VOTER NOTIFICATION CARD MAILINGS;**

12 **(4) ABSENTEE BALLOT APPLICATIONS;**

13 **(5) PUBLIC SERVICE MEDIA ANNOUNCEMENTS; OR**

14 **(6) OTHER COMMUNICATIONS WITH THE PUBLIC AS APPROPRIATE.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2015.