

# SENATE BILL 411

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By: **Senators West, Elfreth, and Kelley**

Introduced and read first time: February 1, 2019

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Polling Places at Continuing Care Retirement Communities**

3 FOR the purpose of requiring local boards of elections to establish separate precincts at  
4 certain continuing care retirement communities under certain circumstances to  
5 specifically serve the retirement communities; requiring continuing care retirement  
6 community providers to provide certain facilities and services to the local board if a  
7 polling place is established at the continuing care retirement community; defining a  
8 certain term; and generally relating to the establishment of precincts and polling  
9 places at continuing care retirement communities.

10 BY repealing and reenacting, with amendments,  
11 Article – Election Law  
12 Section 2–303(a)  
13 Annotated Code of Maryland  
14 (2017 Replacement Volume and 2018 Supplement)

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

17 **Article – Election Law**

18 2–303.

19 (a) (1) Subject to [paragraph] PARAGRAPHS (2) AND (3) of this subsection, as  
20 it deems it expedient for the convenience of voters, a local board may:

21 (i) create and alter the boundaries for precincts in the county;

22 (ii) designate the location for polling places in any election district,  
23 ward, or precinct in the county; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) combine or abolish precincts.

2 (2) (i) Except as provided under subparagraph (iii) of this paragraph, a  
3 local board shall establish a separate precinct on campus or within one-half mile of the  
4 campus to specifically serve a public or private institution of higher education if the local  
5 board determines that at least 500 students, faculty, and staff who attend or work at the  
6 institution are registered voters in the precinct in which the institution is located.

7 (ii) If, in accordance with subparagraph (i) of this paragraph, a  
8 polling place is established at an institution of higher education that receives State funds,  
9 that institution shall:

10 1. provide without charge to the local board a facility for use  
11 as a polling place that meets all applicable requirements under this article and as  
12 established by the State Board; and

13 2. provide assistance to the local board in recruiting election  
14 judges to staff the polling place.

15 (iii) A local board may not be required to establish a separate precinct  
16 as provided under subparagraph (i) of this paragraph if there is an established precinct  
17 within one-half mile of the public or private institution of higher education's campus that  
18 serves the voters who attend or work at the public or private institution of higher education.

19 **(3) (I) IN THIS PARAGRAPH, "CONTINUING CARE RETIREMENT**  
20 **COMMUNITY" MEANS A FACILITY IN WHICH A PROVIDER WHO HOLDS A CERTIFICATE**  
21 **OF REGISTRATION UNDER § 10-412 OR § 10-413 OF THE HUMAN SERVICES ARTICLE**  
22 **PROVIDES CARE TO AT LEAST 200 INDIVIDUALS WHO ARE AT LEAST 60 YEARS OF AGE**  
23 **AND NOT RELATED BY BLOOD OR MARRIAGE TO THE PROVIDER.**

24 **(II) A LOCAL BOARD SHALL ESTABLISH A SEPARATE PRECINCT**  
25 **IN A CONTINUING CARE RETIREMENT COMMUNITY TO SPECIFICALLY SERVE AT**  
26 **LEAST THE RESIDENTS OF THE RETIREMENT COMMUNITY IF THE CONTINUING CARE**  
27 **RETIREMENT COMMUNITY REQUESTS THAT A POLLING PLACE BE ESTABLISHED ON**  
28 **THE COMMUNITY PREMISES.**

29 **(III) IF, IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS**  
30 **PARAGRAPH, A POLLING PLACE IS ESTABLISHED AT A CONTINUING CARE**  
31 **RETIREMENT COMMUNITY, THE CONTINUING CARE RETIREMENT COMMUNITY**  
32 **SHALL:**

33 **1. PROVIDE WITHOUT CHARGE TO THE LOCAL BOARD A**  
34 **FACILITY FOR USE AS A POLLING PLACE THAT MEETS ALL APPLICABLE**  
35 **REQUIREMENTS UNDER THIS ARTICLE AND AS ESTABLISHED BY THE STATE BOARD;**

1 AND

2                                   **2. PROVIDE ASSISTANCE TO THE LOCAL BOARD IN**  
3 **RECRUITING ELECTION JUDGES TO STAFF THE POLLING PLACE.**

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2019.