

HOUSE BILL 555

G1

EMERGENCY BILL

0lr2387
CF SB 362

By: **Delegates Mosby and Cain**

Introduced and read first time: January 27, 2020

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 2020

Returned to second reading: March 4, 2020

House action: Adopted with floor amendments

Read second time: March 4, 2020

CHAPTER _____

1 AN ACT concerning

2 ~~Election Law – Absentee Ballots – Timing of Canvass~~

3 **Election Administration – Absentee Ballot Canvass and Moratorium on Use of**
4 **Wireless Network**

5 FOR the purpose of altering the time that a local board of elections may begin opening
6 absentee ballot envelopes to canvass the absentee ballots cast in an election;
7 prohibiting the use of a wireless wide area network to transmit data from certain
8 electronic poll books to the State Board of Elections or the local boards of elections
9 during an election that is held before a certain date; making this Act an emergency
10 measure; and generally relating to ~~the canvass of absentee ballots~~ election
11 administration.

12 BY repealing and reenacting, without amendments,
13 Article – Election Law
14 Section 11–302(a)
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Election Law
19 Section 11–302(b)
20 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2017 Replacement Volume and 2019 Supplement)

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

Article – Election Law

11–302.

(a) Following an election, each local board shall meet at its designated counting center to canvass the absentee ballots cast in that election in accordance with the regulations and guidelines established by the State Board.

(b) (1) A local board may not open any envelope of an absentee ballot [prior to 8] **BEFORE 9** a.m. on the [Wednesday] **FRIDAY** following election day.

(2) A local board may not delay the commencement of the canvass to await the receipt of late-arriving, timely absentee ballots.

SECTION 2. AND BE IT FURTHER ENACTED, That a wireless wide area network or a Long Term Evolution cellular network may not be used to transmit data from the electronic poll books used in precinct polling places on Election Day to the State Board of Elections or the local boards of elections during an election that is held before January 1, 2021.

~~SECTION 2~~ 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.