SENATE BILL 683

By: Senator Kramer
Introduced and read first time: February 3, 2021
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Election Law – Permanent Absentee Ballot List

FOR the purpose of requiring certain guidelines for absentee voting established by the State Board of Elections to provide for a permanent absentee ballot list; providing that all voters are eligible for permanent absentee ballot status; authorizing a voter to apply for permanent absentee ballot status in a certain manner; authorizing a voter to apply for permanent absentee ballot status at any time; prohibiting a voter who has applied for permanent absentee ballot status from receiving an absentee ballot for the next election if the application is made after a certain deadline; requiring a voter to specify in the permanent absentee ballot application one of certain methods by which the voter chooses to receive an absentee ballot; requiring a voter who uses the online permanent absentee ballot application or who uses any method to request to receive a blank absentee ballot through the Internet to provide certain information; requiring that a voter who submits a proper application for permanent absentee ballot status be placed on the permanent absentee ballot list; requiring a local board of elections to send an absentee ballot to each voter on the permanent absentee ballot list each time there is an election; requiring that a voter who has permanent absentee ballot status be removed from the permanent absentee ballot list under certain circumstances; requiring a voter who has permanent absentee ballot status to provide certain notice to the local board under certain circumstances; and generally relating to a permanent absentee ballot list.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 9–303
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY adding to
Article – Election Law
Section 9–311.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
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Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

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

Article – Election Law

9–303.

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

(b) The guidelines shall provide for:

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

(11) THE PERMANENT ABSENTEE BALLOT LIST.

(c) The State Board shall:

1. in consultation with the local boards, assess the guidelines before each primary election; and
2. revise the guidelines if indicated.
9–311.1.

(A) All voters are eligible for permanent absentee ballot status.

(B) A voter may apply for permanent absentee ballot status by completing and submitting:

(1) The State Board–approved permanent absentee ballot application;

(2) A written request that includes the voter’s name, residence address, and signature; or

(3) The online permanent absentee ballot application provided by the State Board.

(C) (1) A voter may apply for permanent absentee ballot status at any time.

(2) A voter who has applied for permanent absentee ballot status may not receive an absentee ballot for the next election if the application is made after the applicable deadline specified in § 9–305(C) of this subtitle.

(D) A voter shall specify in the permanent absentee ballot application one of the following methods by which the voter chooses to receive an absentee ballot:

(1) Mail;

(2) Facsimile transmission; or

(3) The Internet.

(E) A voter who uses the online permanent absentee ballot application to request that an absentee ballot be sent by any method or who uses any method to request to receive a blank absentee ballot through the Internet shall provide the information required under § 9–305(B) of this subtitle.

(F) A voter who submits a proper application for permanent
ABSENTEE BALLOT STATUS SHALL BE PLACED ON THE PERMANENT ABSENTEE BALLOT LIST.

(G) A LOCAL BOARD SHALL SEND AN ABSENTEE BALLOT TO EACH VOTER ON THE PERMANENT ABSENTEE BALLOT LIST EACH TIME THERE IS AN ELECTION.

(H) A VOTER WHO HAS PERMANENT ABSENTEE BALLOT STATUS SHALL BE REMOVED FROM THE PERMANENT ABSENTEE BALLOT LIST IF:

(1) THE VOTER REQUESTS TO BE REMOVED FROM THE LIST;

(2) THE VOTER IS REMOVED FROM THE STATEWIDE VOTER REGISTRATION LIST UNDER TITLE 3, SUBTITLE 5 OF THIS ARTICLE; OR

(3) THE VOTER FAILS TO RETURN AN ABSENTEE BALLOT FOR TWO CONSECUTIVE STATEWIDE GENERAL ELECTIONS.

(I) A VOTER WHO HAS PERMANENT ABSENTEE BALLOT STATUS SHALL NOTIFY THE LOCAL BOARD IF:

(1) AN ABSENTEE BALLOT IS TO BE SENT TO AN ADDRESS THAT IS DIFFERENT FROM THE ADDRESS PREVIOUSLY PROVIDED BY THE VOTER; OR

(2) THE VOTER WISHES TO RECEIVE AN ABSENTEE BALLOT BY A DIFFERENT METHOD FROM THE METHOD PREVIOUSLY INDICATED BY THE VOTER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.