

SENATE BILL 831

G1

1lr1660

By: **Senator Kagan**

Introduced and read first time: February 9, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Reform Act of 2021**

3 FOR the purpose of altering certain provisions of law to require the State Board of Elections
4 to make certain materials publicly available on its website before a certain meeting;
5 requiring that certain meeting minutes be detailed and searchable; altering the
6 method by which a political party is determined for the purpose of determining the
7 composition of the local boards of elections; requiring a local board to designate the
8 locations of ballot drop boxes in accordance with a certain provision of this Act;
9 requiring each local board to make certain materials publicly available on its website
10 at least a certain time before each meeting of the local board; requiring each local
11 board to make available certain minutes and certain video streaming on its website
12 and maintain certain meeting minutes and recordings on its website for a certain
13 time period; authorizing a registered voter who has declined to affiliate with a
14 political party to change to a party affiliation at any time an individual may register
15 to vote; authorizing an individual to appear at a certain early voting center and apply
16 to change a certain party affiliation under certain circumstances; requiring that a
17 certain change in party affiliation take effect immediately and that an election judge
18 issue the voter a certain ballot; requiring candidates for certain offices to participate
19 in a certain number of public debates before certain elections; requiring the State
20 Board to consider certain guidelines regarding the use of plain language in
21 government communications when preparing certain guidelines and instructions
22 relating to the petition process; requiring that a certain statement be written in plain
23 language reasonably calculated to be understood by an individual with a certain level
24 of reading comprehension; requiring that a certain requirement regarding ballot
25 questions apply whether the ballot is in English or in another language; authorizing
26 certain entities required to prepare and certify a question on a ballot to use certain
27 guidelines in making a certain determination; establishing the Maryland Debate
28 Commission; providing for the composition and staffing of the Commission; providing
29 for the selection of the members of the Commission; requiring the State Board to
30 adopt certain regulations; specifying the terms of the initial members of the
31 Commission; prohibiting a member of the Commission from receiving certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 compensation, but authorizing the reimbursement of certain expenses; establishing
2 the duties of the Commission; providing that certain registered voters of a county
3 are eligible to vote in a primary election for candidates for circuit court judge;
4 altering the standards for certification of a voting system to require the voting
5 system to enable voters to view certain candidates on a ballot in a certain manner to
6 the extent practicable; requiring that candidates for a single office be arranged in a
7 certain manner except under certain circumstances; prohibiting an electronic voting
8 device from allowing a voter to select certain candidates until the voter views or
9 hears the names of certain candidates under certain circumstances; requiring a voter
10 who uses the State Board approved absentee ballot application to provide certain
11 information; requiring a local board to notify a voter of a certain error on an absentee
12 ballot application within a certain period of time; requiring that the notification be
13 sent by a certain method; requiring that a voter have a certain time period to return
14 a corrected application; repealing a provision of law requiring a local board to provide
15 an absentee ballot by facsimile transmission under certain circumstances; altering
16 certain provisions of law to require a local board to provide an absentee ballot by the
17 Internet only if requested by certain voters; prohibiting certain envelopes for an
18 absentee ballot or certain envelope templates from including certain language or
19 information in a certain manner; requiring a local board to include a privacy sleeve
20 with an absentee ballot under certain circumstances; requiring each local board, for
21 each election, to designate locations in the county at which a ballot drop box will be
22 located; prohibiting a person from placing a certain box except under certain
23 circumstances; requiring that a certain voter be allowed to deposit an absentee ballot
24 in a ballot drop box; requiring a local board, in collaboration with the State Board,
25 to ensure that early voting centers are located in a certain manner; altering the
26 number of days early voting centers are required to be open for voting; altering the
27 hours early voting centers are required to be open for voting; requiring each early
28 voting center to have a ballot drop box; altering the day for the start of the absentee
29 ballot canvass; requiring a local board to notify a voter in a certain manner of a
30 certain error on an absentee ballot within a certain time period; requiring a voter to
31 correct a certain error on an absentee ballot or return a certain ballot by a certain
32 date for the ballot to be counted; requiring a local board to notify a voter if two legally
33 sufficient ballots were received; altering the ballot that is required to be counted if
34 the local board receives more than one legally sufficient ballot in separate envelopes;
35 prohibiting a local board from rejecting an absentee ballot solely because the voter
36 failed to return the absentee ballot in a certain manner; specifying the time at which
37 a local board is required to start preparing and releasing a certain report of unofficial
38 results; requiring that a certain statement prepared by a board of canvassers include
39 the results of certain votes by precinct; specifying that the information included in a
40 certain report of the State Board by precinct is to include early, absentee, and
41 provisional votes; prohibiting a person from releasing a partial or complete
42 tabulation of absentee ballot votes before a certain time; establishing a certain
43 penalty; making conforming changes; altering certain definitions; defining certain
44 terms; and generally relating to the administration of elections in the State.

45 BY repealing and reenacting, without amendments,
46 Article – Election Law

1 Section 1–101(a), 6–201(a) and (d), and 9–306(a)
2 Annotated Code of Maryland
3 (2017 Replacement Volume and 2020 Supplement)

4 BY adding to
5 Article – Election Law
6 Section 1–101(d–1), 2–202(b)(12) and (c), 5–206, 8–104, 8–206, 9–210(b–1),
7 9–310.1, and 16–602
8 Annotated Code of Maryland
9 (2017 Replacement Volume and 2020 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Election Law
12 Section 2–102(d), 2–201, 2–202(b)(10) and (11), (c), and (d), 3–303, 3–305, 6–103(b),
13 6–201(c), 7–103(b) and (c), 9–102(d), 9–305, 9–306(b), 9–308.1, 9–310,
14 10–301, 10–301.1, 11–302, and 11–402
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2020 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 1–101.

21 (a) In this article the following words have the meanings indicated unless a
22 different meaning is clearly intended from the context.

23 **(D–1) “BALLOT DROP BOX” MEANS A SECURE, DURABLE, OUTDOOR**
24 **CONTAINER THAT IS OFFICIALLY DESIGNATED BY A LOCAL BOARD EXCLUSIVELY**
25 **FOR VOTERS TO DEPOSIT COMPLETED ABSENTEE BALLOTS IN PERSON.**

26 2–102.

27 (d) (1) **IN THIS SUBSECTION, “MATERIALS” MEANS ITEMS TO BE**
28 **CONSIDERED AT THE NEXT OPEN MEETING, INCLUDING:**

29 **(I) AGENDAS;**

30 **(II) MEMORANDA;**

31 **(III) WRITTEN TESTIMONY; AND**

32 **(IV) PROPOSED MINUTES OF A PREVIOUS OPEN MEETING.**

1 **(2)** The State Board shall make publicly available on its website:

2 (i) ~~[each]~~ **ALL** open meeting ~~[agenda]~~ **MATERIALS**:

3 1. at least 48 hours in advance of each meeting; or

4 2. if the meeting is being held due to an emergency, a natural
5 disaster, or any other unanticipated situation, as far in advance of the meeting as
6 practicable;

7 (ii) **DETAILED AND SEARCHABLE** meeting minutes from the
8 portions of a meeting that were held in open session, not more than 2 business days after
9 the minutes are approved; and

10 (iii) live video streaming of each portion of a meeting that is held in
11 open session.

12 ~~[(2)]~~ **(3)** The State Board shall maintain on its website:

13 (i) meeting minutes made available under paragraph ~~[(1)(ii)]~~
14 **(2)(II)** of this subsection for a minimum of 5 years after the date of the meeting; and

15 (ii) a complete and unedited archived video recording of each open
16 meeting for which live video streaming was made available under paragraph ~~[(1)(iii)]~~
17 **(2)(III)** of this subsection for a minimum of 1 year after the date of the meeting.

18 ~~[(3)]~~ **(4)** The Department of Information Technology shall provide to the
19 State Board the technical staff, support, and equipment necessary to stream live video of
20 the open meetings of the State Board.

21 2–201.

22 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
23 **INDICATED.**

24 **(2) “MAJORITY PARTY” MEANS THE POLITICAL PARTY THAT HAD THE**
25 **HIGHEST NUMBER OF REGISTERED VOTERS IN THE COUNTY AS OF THE TIME THAT**
26 **POLLS CLOSED ON THE DATE OF THE MOST RECENT STATEWIDE ELECTION.**

27 **(3) “PRINCIPAL MINORITY PARTY” MEANS THE POLITICAL PARTY**
28 **THAT HAD THE SECOND HIGHEST NUMBER OF REGISTERED VOTERS IN THE COUNTY**
29 **AS OF THE TIME THAT POLLS CLOSED ON THE DATE OF THE MOST RECENT**
30 **STATEWIDE ELECTION.**

31 ~~[(a)]~~ **(B) (1)** There is a county board of elections in each county of the State.

1 (2) Each local board and its staff is subject to the direction and authority
2 of the State Board and is accountable to the State Board for its actions in all matters
3 regarding the implementation of the requirements of this article and any applicable federal
4 law.

5 **[(b)] (C)** (1) (i) Except as provided in paragraphs (2) and (3) of this
6 subsection, each local board consists of five regular members.

7 (ii) Three regular members shall be of the majority party, and two
8 regular members shall be of the principal minority party.

9 (2) (i) In Prince George's County, the local board consists of five regular
10 members and three substitute members.

11 (ii) Four regular members and two substitute members shall be of
12 the majority party, and one regular member and one substitute member shall be of the
13 principal minority party.

14 (3) (i) In Montgomery County, the local board consists of five regular
15 members and two substitute members.

16 (ii) Three regular members and one substitute member shall be of
17 the majority party, and two regular members and one substitute member shall be of the
18 principal minority party.

19 **[(c)] (D)** Each regular member of a local board and each substitute member of a
20 local board shall:

21 (1) be appointed in accordance with subsection **[(g)] (H)** of this section;

22 (2) be a registered voter in the county for which the individual is appointed
23 for the 5 years immediately preceding the appointment; and

24 (3) be eligible for reappointment.

25 **[(d)] (E)** (1) The term of a member is 4 years and begins on the first Monday
26 in June of each year following a gubernatorial election.

27 (2) At the end of a term, a member continues to serve until a successor is
28 appointed and qualifies.

29 **[(e)] (F)** Before taking office, a member shall take and subscribe to the oath
30 prescribed in Article I, § 9 of the Maryland Constitution.

31 **[(f)] (G)** The Governor may remove a member for incompetence, misconduct, or

1 other good cause, upon written charges stating the Governor's grounds for dismissal and
2 after affording the member notice and an ample opportunity to be heard.

3 **[(g)] (H)** (1) The Governor shall request the county central committee
4 representing the majority party or the principal minority party, as appropriate, to submit
5 a list of at least four eligible individuals from which the Governor may make an
6 appointment of a regular member of a local board or a substitute member of the local board.

7 (2) The Governor may reject all of the nominees if the Governor determines
8 them to be unfit or incompetent, in which case the Governor shall notify the State Board in
9 writing and request an additional list of at least four eligible nominees from the county
10 central committee. A third list may be requested in the same manner.

11 (3) If a list containing the names of four eligible nominees is not submitted
12 within 20 days of a request or if all the nominees on three lists are rejected, the Governor
13 may appoint any eligible person who is a member of the appropriate political party.

14 (4) (i) Except as provided in subparagraph (ii) of this paragraph, each
15 appointment shall be subject to confirmation by the Senate of Maryland.

16 (ii) In Caroline, Dorchester, and Kent counties, if there is no resident
17 Senator of the particular county, the confirmation required under subparagraph (i) of this
18 paragraph shall be by the House of Delegates of Maryland.

19 (iii) If an appointee is rejected, the Governor shall make another
20 appointment from the list or lists submitted under paragraphs (1) and (2) of this subsection.
21 If a list is not provided, or the nominees on three lists are rejected, the Governor may
22 appoint an eligible individual as provided in paragraph (3) of this subsection.

23 **[(h)] (I)** (1) Except in Montgomery County and Prince George's County, if a
24 vacancy occurs on the local board, the Governor shall appoint an eligible person from the
25 same political party as the predecessor member to fill the vacancy in accordance with
26 subsection **[(g)] (H)** of this section for the remainder of the unexpired term and until a
27 successor is appointed and qualifies.

28 (2) An appointment made while the General Assembly is not in session
29 shall be considered temporary until the appointee is confirmed by the General Assembly.

30 **[(i)] (J)** (1) This subsection applies only in Montgomery County and Prince
31 George's County.

32 (2) In the event of the absence of a regular member or a vacancy in the
33 office of a regular member, the substitute member of the same political party shall exercise
34 the powers and duties of a regular member until the regular member returns or the vacancy
35 is filled as prescribed in this subsection.

36 (3) Subject to paragraph (4) of this subsection, if a member of a local board

1 dies, resigns, is removed, or becomes ineligible:

2 (i) the substitute member belonging to the same political party shall
3 become a regular member of the local board; and

4 (ii) the Governor shall appoint an eligible person from the same
5 political party to be the new substitute member.

6 (4) In Prince George's County, if a vacancy occurs on the local board among
7 the members from the majority party, the Governor shall designate one of the substitute
8 members from that party to fill the vacancy.

9 (5) If a substitute member of a local board becomes a regular member as
10 provided in paragraph (3)(i) of this subsection, dies, resigns, is removed, or becomes
11 ineligible when the confirming legislative body is not in session, the Governor shall appoint
12 an eligible person from the same political party as the predecessor substitute member to
13 fill the vacancy. That individual shall serve until the earlier of:

14 (i) the adjournment of the next session of the General Assembly; or

15 (ii) the appointment of another individual to fill the same vacancy.

16 **[j] (K)** A board shall meet within 20 days after the beginning of the term to
17 elect one of its regular members as president.

18 2-202.

19 (b) Each local board, in accordance with the provisions of this article and
20 regulations adopted by the State Board, shall:

21 (10) maintain and dispose of its records in accordance with the plan adopted
22 by the State Board under § 2-106 of this title; **[and]**

23 (11) administer voter registration and absentee voting for nursing homes
24 and assisted living facilities in accordance with procedures established by the State
25 Administrator, subject to the approval of the State Board; **AND**

26 **(12) DESIGNATE THE LOCATIONS OF BALLOT DROP BOXES IN**
27 **ACCORDANCE WITH § 9-310.1 OF THIS ARTICLE.**

28 **(C) (1) IN THIS SUBSECTION, "MATERIALS" MEANS ITEMS TO BE**
29 **CONSIDERED AT THE NEXT OPEN MEETING, INCLUDING:**

30 **(I) AGENDAS;**

31 **(II) MEMORANDA;**

1 (III) WRITTEN TESTIMONY; AND

2 (IV) PROPOSED MINUTES OF A PREVIOUS OPEN MEETING.

3 (2) EACH LOCAL BOARD SHALL MAKE PUBLICLY AVAILABLE ON ITS
4 WEBSITE:

5 (I) ALL OPEN MEETING MATERIALS:

6 1. AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING;
7 OR

8 2. IF THE MEETING IS BEING HELD DUE TO AN
9 EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS
10 FAR IN ADVANCE OF THE MEETING AS PRACTICABLE;

11 (II) DETAILED AND SEARCHABLE MEETING MINUTES FROM THE
12 PORTIONS OF A MEETING THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2
13 BUSINESS DAYS AFTER THE MINUTES ARE APPROVED; AND

14 (III) LIVE VIDEO STREAMING OF EACH PORTION OF A MEETING
15 THAT IS HELD IN OPEN SESSION.

16 (3) EACH LOCAL BOARD SHALL MAINTAIN ON ITS WEBSITE:

17 (I) MEETING MINUTES MADE AVAILABLE UNDER PARAGRAPH
18 (2)(II) OF THIS SUBSECTION FOR A MINIMUM OF 5 YEARS AFTER THE DATE OF THE
19 MEETING; AND

20 (II) A COMPLETE AND UNEDITED ARCHIVED VIDEO RECORDING
21 OF EACH OPEN MEETING FOR WHICH LIVE VIDEO STREAMING WAS MADE AVAILABLE
22 UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION FOR A MINIMUM OF 2 YEARS
23 AFTER THE DATE OF THE MEETING.

24 [(c)] (D) In Garrett County, following each decennial census of the United
25 States, the local board shall:

26 (1) evaluate the population of the county commissioner districts to
27 determine whether the districts are of substantially equal population; and

28 (2) recommend to the Garrett County Delegation to the General Assembly
29 any adjustments of the boundaries of those districts that are necessary to maintain districts
30 of substantially equal population.

1 **[(d)] (E)** In Montgomery County, the local board shall require an affirmative
2 vote of not fewer than three duly confirmed regular members of the local board, at least one
3 of whom shall be a member of the principal minority party, to appoint an election director.

4 3–303.

5 **(A) A REGISTERED VOTER WHO HAS DECLINED TO AFFILIATE WITH A**
6 **POLITICAL PARTY MAY CHANGE TO A PARTY AFFILIATION AT ANY TIME AN**
7 **INDIVIDUAL MAY REGISTER TO VOTE UNDER THIS TITLE.**

8 **[(a)] (B)** Notification of a change of party affiliation or a change to or from a
9 decline may be made:

10 (1) by information provided on a voter registration application by the same
11 methods provided for registration under Subtitle 2 of this title;

12 (2) by written notice, signed by the voter and sent by mail or otherwise
13 delivered to the local board in the county where the voter's current voter registration
14 address is located or to which the voter has moved;

15 (3) by making application in person at the office of the local board in the
16 county where the voter's current voter registration address is located or to which the voter
17 has moved;

18 (4) by information on a voter authority card or other appropriate form filled
19 out in a polling place; or

20 (5) by changing a name or address with the Motor Vehicle Administration.

21 **[(b)] (C)** Party affiliation changes or changes to or from a decline:

22 (1) shall be processed at any time that registration is open; and

23 (2) except as provided in subsection **[(c)] (D)** of this section, may not be
24 processed when registration is closed.

25 **[(c)] (D)** **[If] EXCEPT AS PROVIDED IN § 3–305 OF THIS SUBTITLE, IF** a local
26 board receives a request for a party affiliation change after the close of registration, the
27 local board shall make the change and it shall become effective for the next election
28 provided:

29 (1) there is sufficient evidence, as determined by the local boards pursuant
30 to regulations adopted by the State Board, that the request was mailed on or before the
31 close of registration for that election; or

1 (2) the request was submitted by the voter to the Motor Vehicle
2 Administration, a voter registration agency, another local board, or the State Board on or
3 before the close of registration for that election.

4 3–305.

5 (a) During early voting, an individual may appear in person at an early voting
6 center in the individual’s county of residence and apply:

7 (1) to register to vote [or];

8 (2) TO change the voter’s address on an existing voter registration; OR

9 (3) IF THE VOTER IS UNAFFILIATED WITH A POLITICAL PARTY, TO
10 CHANGE PARTY AFFILIATION ON AN EXISTING VOTER REGISTRATION.

11 (b) (1) When applying to register to vote during early voting, the applicant
12 shall provide proof of residency.

13 (2) The applicant shall prove residency by showing the election judge:

14 (i) a Maryland driver’s license or Maryland identification card that
15 contains the applicant’s current address; or

16 (ii) if the applicant does not have a driver’s license or identification
17 card that contains the applicant’s current address, a copy of an official document that:

18 1. meets the requirements established by the State Board;
19 and

20 2. contains the applicant’s name and current address.

21 (c) (1) When an individual applies to register to vote at an early voting center,
22 the election judge shall determine whether the applicant resides in the county in which the
23 applicant applied and is qualified to become a registered voter.

24 (2) If the voter is a resident of the county and is qualified to register to vote,
25 the election judge shall:

26 (i) issue the voter a voter authority card;

27 (ii) have the voter sign the voter authority card; and

28 (iii) issue the voter a ballot.

29 (d) (1) When a voter applies to change the voter’s address during early voting,

1 the election judge shall determine whether the voter resides in the county in which the
2 voter seeks to vote.

3 (2) If the voter is a resident of the county, the election judge shall:

4 (i) issue the voter a voter authority card;

5 (ii) have the voter sign the voter authority card; and

6 (iii) issue the voter the appropriate ballot for the voter's new address.

7 **(E) WHEN A VOTER APPLIES TO CHANGE THE VOTER'S PARTY AFFILIATION**
8 **AS AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION DURING EARLY VOTING**
9 **DURING A PARTY ELECTION:**

10 **(1) THE CHANGE SHALL TAKE EFFECT IMMEDIATELY; AND**

11 **(2) THE ELECTION JUDGE SHALL ISSUE THE VOTER THE**
12 **APPROPRIATE BALLOT FOR THE VOTER'S PARTY.**

13 **[(e)] (F)** The State Board shall adopt regulations and procedures in accordance
14 with the requirements of this section for the administration of voter registration during
15 early voting.

16 **5-206.**

17 **(A) THIS SECTION DOES NOT APPLY TO AN UNOPPOSED CANDIDATE.**

18 **(B) EACH CANDIDATE FOR THE FOLLOWING OFFICES SHALL PARTICIPATE**
19 **IN AT LEAST ONE PUBLIC DEBATE BEFORE THE PRIMARY ELECTION AND, IF**
20 **APPLICABLE, THE GENERAL ELECTION:**

21 **(1) GOVERNOR;**

22 **(2) UNITED STATES SENATOR; AND**

23 **(3) REPRESENTATIVE IN CONGRESS.**

24 **6-103.**

25 (b) (1) The State Board shall:

26 (i) prepare guidelines and instructions relating to the petition
27 process; and

1 (ii) design and arrange to have sample forms available to the public
2 conforming to this title for each purpose for which a petition is authorized by law.

3 (2) **WHEN PREPARING GUIDELINES AND INSTRUCTIONS FOR**
4 **COMPLIANCE WITH THE PLAIN LANGUAGE REQUIREMENT OF § 6-201(C)(2)(I) OF**
5 **THIS SUBTITLE, THE STATE BOARD SHALL CONSIDER ANY GENERALLY ACCEPTED**
6 **GUIDELINES REGARDING COMPLIANCE WITH THE FEDERAL PLAIN WRITING ACT OF**
7 **2010.**

8 (3) The guidelines, instructions, and forms shall be provided to the public,
9 on request, without charge.

10 6-201.

11 (a) A petition shall contain:

12 (1) an information page; and

13 (2) signature pages containing not less than the total number of signatures
14 required by law to be filed.

15 (c) Each signature page shall contain:

16 (1) a description of the subject and purpose of the petition, conforming to
17 the requirements of regulations;

18 (2) if the petition seeks to place a question on the ballot, either:

19 (i) a fair and accurate summary of the substantive provisions of the
20 proposal **WRITTEN IN PLAIN LANGUAGE IN COMPLIANCE WITH THE FEDERAL PLAIN**
21 **WRITING ACT OF 2010, REASONABLY CALCULATED TO BE UNDERSTOOD BY AN**
22 **INDIVIDUAL WHO HAS ATTAINED NOT HIGHER THAN A GRADE 6 LEVEL OF READING**
23 **COMPREHENSION; or**

24 (ii) the full text of the proposal;

25 (3) a statement, to which each signer subscribes, that:

26 (i) the signer supports the purpose of that petition process; and

27 (ii) based on the signer's information and belief, the signer is a
28 registered voter in the county specified on the page and is eligible to have his or her
29 signature counted;

30 (4) spaces for signatures and the required information relating to the
31 signers;

1 (5) a space for the name of the county in which each of the signers of that
2 page is a registered voter;

3 (6) a space for the required affidavit made and executed by the circulator;
4 and

5 (7) any other information required by regulation.

6 (d) If the petition seeks to place a question on the ballot and the sponsor elects to
7 print a summary of the proposal on each signature page as provided in subsection (c)(2)(i)
8 of this section:

9 (1) the circulator shall have the full text of the proposal present at the time
10 and place that each signature is affixed to the page; and

11 (2) the signature page shall state that the full text is available from the
12 circulator.

13 7–103.

14 (b) **(1)** Each question shall appear on the ballot containing the following
15 information:

16 **[(1)] (I)** a question number or letter as determined under subsection (d)
17 of this section;

18 **[(2)] (II)** a brief designation of the type or source of the question;

19 **[(3)] (III)** a brief descriptive title in boldface type;

20 **[(4)] (IV)** a condensed statement of the purpose of the question **WRITTEN**
21 **IN PLAIN LANGUAGE IN COMPLIANCE WITH THE FEDERAL PLAIN WRITING ACT OF**
22 **2010, REASONABLY CALCULATED TO BE UNDERSTOOD BY AN INDIVIDUAL WHO HAS**
23 **ATTAINED NO HIGHER THAN A GRADE 6 LEVEL OF READING COMPREHENSION;** and

24 **[(5)] (V)** the voting choices that the voter has.

25 **(2) THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION**
26 **SHALL APPLY WHETHER THE BALLOT IS IN ENGLISH OR IN ANOTHER LANGUAGE.**

27 (c) (1) The Secretary of State shall prepare and certify to the State Board, not
28 later than the 95th day before the general election, the information required under
29 subsection (b) of this section, for all statewide ballot questions and all questions relating to
30 an enactment of the General Assembly which is petitioned to referendum.

1 (2) The State Board shall prepare and certify to the appropriate local
2 board, not later than the 105th day before the general election, the information required
3 under subsection (b) of this section for all questions that have been referred to the voters of
4 one county or part of one county pursuant to an enactment of the General Assembly.

5 (3) (i) The county attorney of the appropriate county shall prepare and
6 certify to the State Board, not later than the 95th day before the general election, the
7 information required under subsection (b) of this section for each question to be voted on in
8 a single county or part of a county, except a question covered by paragraph (1) or paragraph
9 (2) of this subsection.

10 (ii) If the information required under subsection (b) of this section
11 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the
12 circuit court for the jurisdiction shall prepare and certify that information to the State
13 Board not later than the first Friday in August.

14 (4) (i) The municipal attorney of the appropriate municipal corporation
15 shall prepare and certify to the State Board, not later than the 95th day before the general
16 election, the information required under subsection (b) of this section for each question to
17 be voted on in the municipal corporation, except a question covered by paragraphs (1)
18 through (3) of this subsection.

19 (ii) If the information required under subsection (b) of this section
20 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the
21 circuit court for the county in which the municipal corporation is located shall prepare and
22 certify that information to the State Board not later than the first Friday in August.

23 (5) **AN ENTITY THAT IS REQUIRED TO PREPARE AND CERTIFY A**
24 **QUESTION MAY USE ANY GENERALLY ACCEPTED GUIDELINES REGARDING**
25 **COMPLIANCE WITH THE FEDERAL PLAIN WRITING ACT OF 2010 IN DETERMINING**
26 **WHETHER THE QUESTION IS IN COMPLIANCE WITH THE PLAIN LANGUAGE**
27 **REQUIREMENTS OF SUBSECTION (B)(1)(IV) OF THIS SECTION.**

28 (6) The information required under subsection (b) of this section for a
29 question that is being placed on the ballot by petition may be prepared before the petition
30 is certified under § 6-208 of this article.

31 **8-104.**

32 **(A) IN THIS SECTION, “COMMISSION” MEANS THE MARYLAND DEBATE**
33 **COMMISSION.**

34 **(B) THERE IS A MARYLAND DEBATE COMMISSION.**

35 **(C) (1) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:**

1 **(I) THE CHAIR OF THE DEMOCRATIC STATE CENTRAL**
2 **COMMITTEE OF MARYLAND, OR THE CHAIR'S DESIGNEE;**

3 **(II) THE CHAIR OF THE REPUBLICAN STATE CENTRAL**
4 **COMMITTEE OF MARYLAND, OR THE CHAIR'S DESIGNEE;**

5 **(III) THREE JOURNALISTS FROM TELEVISION, RADIO, PRINT**
6 **MEDIA, OR ONLINE MEDIA THAT OPERATE IN THE STATE;**

7 **(IV) THREE REPRESENTATIVES FROM DIFFERENT**
8 **NONPARTISAN ORGANIZATIONS IN THE STATE THAT FOCUS EFFORTS ON**
9 **INCREASING VOTER REGISTRATION AND VOTER ENGAGEMENT; AND**

10 **(V) ONE MEMBER OF THE GENERAL PUBLIC WHO IS NOT**
11 **AFFILIATED WITH A POLITICAL PARTY.**

12 **(2) (I) THE STATE BOARD SHALL CHOOSE THE FOLLOWING**
13 **MEMBERS OF THE COMMISSION, AT RANDOM, FROM THE POOL OF ELIGIBLE**
14 **APPLICANTS SUBMITTED TO THE STATE BOARD BY THE APPLICANTS:**

15 **1. THE JOURNALIST MEMBERS UNDER PARAGRAPH**
16 **(1)(III) OF THIS SUBSECTION; AND**

17 **2. THE NONPARTISAN ORGANIZATION MEMBERS UNDER**
18 **PARAGRAPH (1)(IV) OF THIS SUBSECTION.**

19 **(II) THE COMMISSION MEMBERS SHALL, BY MAJORITY VOTE,**
20 **CHOOSE THE MEMBER WHO IS UNAFFILIATED WITH A POLITICAL PARTY FROM THE**
21 **POOL OF ELIGIBLE APPLICANTS SUBMITTED TO THE STATE BOARD BY THE**
22 **APPLICANTS.**

23 **(III) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY**
24 **OUT THIS PARAGRAPH.**

25 **(D) (1) (I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
26 **SUBSECTION, THE TERM OF A MEMBER IS 5 YEARS.**

27 **(II) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**
28 **THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2021.**

29 **(III) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**
30 **UNTIL A SUCCESSOR IS CHOSEN AND QUALIFIES.**

1 (IV) A MEMBER WHO IS CHOSEN AFTER A TERM HAS BEGUN
2 SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS
3 CHOSEN AND QUALIFIES.

4 (2) THE TERMS OF THE CHAIR OF THE DEMOCRATIC STATE CENTRAL
5 COMMITTEE OF MARYLAND AND THE CHAIR OF THE REPUBLICAN STATE CENTRAL
6 COMMITTEE OF MARYLAND OR THEIR DESIGNEES SHALL CORRESPOND WITH THE
7 TERMS FOR CHAIR OF EACH RESPECTIVE COMMITTEE.

8 (E) THE STATE BOARD SHALL PROVIDE STAFF FOR THE COMMISSION.

9 (F) A MEMBER OF THE COMMISSION:

10 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
11 COMMISSION; BUT

12 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
13 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

14 (G) THE COMMISSION SHALL:

15 (1) DEVELOP GUIDELINES FOR THE CONDUCT OF DEBATES,
16 ESTABLISH DEBATE CRITERIA, AND HOST DEBATES BEFORE EACH PRIMARY AND
17 GENERAL ELECTION FOR CANDIDATES FOR THE FOLLOWING OFFICES:

18 (I) GOVERNOR;

19 (II) LIEUTENANT GOVERNOR;

20 (III) ATTORNEY GENERAL;

21 (IV) COMPTROLLER; AND

22 (V) MEMBERS OF CONGRESS; AND

23 (2) CONSIDER THE FOLLOWING PRACTICES IN THE ADMINISTRATION
24 OF DEBATES:

25 (I) MAKING DEBATES PUBLICLY AVAILABLE ON THE INTERNET;

26 (II) MAXIMIZING VIEWERSHIP OF HOSTED DEBATES;

27 (III) SCHEDULING DEBATES NOT EARLIER THAN 90 DAYS

1 BEFORE AND NOT LATER THAN 14 DAYS BEFORE THE FIRST DAY OF EARLY VOTING;

2 (IV) DETERMINING THRESHOLDS FOR CANDIDATE
3 PARTICIPATION;

4 (V) GENERATING QUESTIONS WITHOUT THE CANDIDATES'
5 PRIOR KNOWLEDGE;

6 (VI) CHOOSING NONPARTISAN MODERATORS; AND

7 (VII) CONSIDERING QUESTIONS SUBMITTED BY THE GENERAL
8 PUBLIC.

9 8-206.

10 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN A PRIMARY ELECTION
11 TO NOMINATE CANDIDATES FOR JUDGE OF THE CIRCUIT COURT, ANY REGISTERED
12 VOTER OF THE COUNTY, REGARDLESS OF PARTY AFFILIATION OR LACK OF PARTY
13 AFFILIATION, IS ELIGIBLE TO VOTE IN THOSE CONTESTS FOR NOMINATION.

14 9-102.

15 (d) The State Board may not certify a voting system unless the State Board
16 determines that:

17 (1) the voting system will:

18 (i) protect the secrecy of the ballot;

19 (ii) protect the security of the voting process;

20 (iii) count and record all votes accurately;

21 (iv) accommodate any ballot used under this article;

22 (v) protect all other rights of voters and candidates;

23 (VI) ENABLE, TO THE EXTENT PRACTICABLE, A VOTER TO VIEW
24 ALL CANDIDATES FOR A SINGLE OFFICE ON THE SAME PAGE OR SCREEN BEFORE
25 CASTING A VOTE;

26 [(vi)] (VII) be capable of creating a paper record of all votes cast in
27 order that an audit trail is available in the event of a recount, including a manual recount;
28 and

1 [(vii)] (VIII) provide a voter-verifiable paper record that:

2 1. is an individual document that is physically separated
3 from any other similar document and not part of a continuous roll;

4 2. is sufficiently durable to withstand repeated handling for
5 the purposes of mandatory random audits and recounts; and

6 3. uses ink that does not fade, smear, or otherwise degrade
7 and obscure or obliterate the paper record over time;

8 (2) the voting system has been:

9 (i) examined by an independent testing laboratory that is approved
10 by the U.S. Election Assistance Commission; and

11 (ii) shown by the testing laboratory to meet the performance and test
12 standards for electronic voting systems established by the Federal Election Commission or
13 the U.S. Election Assistance Commission; and

14 (3) the public interest will be served by the certification of the voting
15 system.

16 9-210.

17 **(B-1) (1) THE CANDIDATES FOR A SINGLE OFFICE SHALL BE ARRANGED SO**
18 **THAT THE NAMES OF THE CANDIDATES:**

19 **(I) APPEAR ON THE SAME PAGE OF A PAPER BALLOT; OR**

20 **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF AN**
21 **ELECTRONIC VOTING DEVICE IS BEING USED, APPEAR ON THE SAME PAGE OF THE**
22 **BALLOT SHOWN ON THE SCREEN.**

23 **(2) IF A VOTER IS USING AN ELECTRONIC VOTING DEVICE TO VOTE,**
24 **AND THE LIST OF NAMES OF THE CANDIDATES FOR A SINGLE OFFICE EXCEEDS THE**
25 **NUMBER OF NAMES THAT CAN FIT ON A SINGLE SCREEN, THE ELECTRONIC VOTING**
26 **DEVICE MAY NOT ALLOW A VOTER TO SELECT ALL THE CANDIDATES FOR THAT**
27 **OFFICE UNTIL THE VOTER VIEWS OR HEARS ALL THE NAMES OF THE CANDIDATES**
28 **FOR THAT OFFICE.**

29 9-305.

30 (a) A voter may request an absentee ballot by completing and submitting:

31 (1) the State Board approved absentee ballot application;

1 (2) a form provided under federal law;

2 (3) subject to subsection (b) of this section, a written request that includes:

3 (i) the voter's name, residence address, and signature; and

4 (ii) the address to which the ballot is to be mailed, if different from
5 the residence address; or

6 (4) the accessible online absentee ballot application provided by the State
7 Board.

8 (b) A voter who uses **THE STATE BOARD APPROVED ABSENTEE BALLOT**
9 **APPLICATION OR** the online absentee ballot application to request that an absentee ballot
10 be sent by any method or who uses any method to request to receive a blank absentee ballot
11 through the Internet shall provide the following information:

12 (1) a Maryland driver's license number or Maryland identification card
13 number, the last four digits of the applicant's Social Security number, and other
14 information identified by the State Board that is not generally available to the public but
15 is readily available to the applicant; or

16 (2) if the applicant is an absent uniformed services voter or overseas voter
17 as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act or a voter
18 with a disability and does not have a Maryland driver's license or Maryland identification
19 card, the last four digits of the applicant's Social Security number.

20 (c) An application for an absentee ballot must be received by a local board:

21 (1) if the voter requests the absentee ballot be sent by mail or facsimile
22 transmission, not later than the Tuesday preceding the election, at the time specified in the
23 guidelines;

24 (2) if the voter requests the absentee ballot be sent by the Internet, not
25 later than the Friday preceding the election, at the time specified in the guidelines; or

26 (3) if the voter or the voter's duly authorized agent applies for an absentee
27 ballot in person at the local board office, not later than the closing of the polls on election
28 day.

29 **(D) (1) IF AN APPLICATION FOR AN ABSENTEE BALLOT CONTAINS AN**
30 **ERROR THAT WOULD INVALIDATE THE APPLICATION, A LOCAL BOARD SHALL NOTIFY**
31 **THE VOTER OF THE ERROR NOT MORE THAN 3 DAYS AFTER THE DATE ON WHICH THE**
32 **ERROR WAS DETERMINED.**

1 **(2) A LOCAL BOARD SHALL SEND THE NOTIFICATION REQUIRED**
2 **UNDER PARAGRAPH (1) OF THIS SUBSECTION BY FIRST-CLASS MAIL, E-MAIL,**
3 **TELEPHONE, OR TEXT MESSAGE.**

4 **(3) A VOTER WHOSE APPLICATION CONTAINS AN ERROR UNDER THIS**
5 **SUBSECTION SHALL HAVE UNTIL THE DAY BEFORE THE DEADLINE BY WHICH**
6 **ABSENTEE BALLOTS ARE REQUIRED TO BE ISSUED TO CORRECT THE ERROR AND**
7 **RETURN THE CORRECTED APPLICATION TO THE LOCAL BOARD.**

8 9-306.

9 (a) Promptly after receipt of an application, the election director shall review the
10 application and determine whether the applicant qualifies to vote by absentee ballot.

11 (b) **(1)** If the applicant qualifies to vote by absentee ballot, the local board shall
12 provide the ballot by one of the following methods requested by the voter:

13 **[(1)] (I) mail;**

14 **[(2)] facsimile transmission;]**

15 **[(3)] (II) the Internet, ONLY IF REQUESTED BY A VOTER LISTED IN**
16 **PARAGRAPH (2) OF THIS SUBSECTION; or**

17 **[(4)] (III) by hand during an in-person transaction.**

18 **(2) THE LOCAL BOARD SHALL PROVIDE AN ABSENTEE BALLOT SENT**
19 **BY THE INTERNET IF REQUESTED BY:**

20 **(I) AN ABSENT UNIFORMED SERVICES VOTER OR OVERSEAS**
21 **VOTER AS DEFINED IN THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS**
22 **ABSENTEE VOTING ACT;**

23 **(II) A VOTER WITH A DISABILITY AS DEFINED IN THE**
24 **AMERICANS WITH DISABILITIES ACT WHO IS UNABLE TO MARK A BALLOT**
25 **INDEPENDENTLY BY HAND; AND**

26 **(III) ANY OTHER VOTER WHO WOULD BE UNABLE TO VOTE IF THE**
27 **VOTER COULD NOT RECEIVE AN ABSENTEE BALLOT ELECTRONICALLY.**

28 9-308.1.

29 (a) In this section:

30 (1) “online ballot marking tool” includes a system that allows a voter to:

- 1 (i) access a blank ballot through the Internet;
- 2 (ii) electronically mark the ballot with the voter's selections; and
- 3 (iii) print a paper copy of the marked ballot for mailing to a local
- 4 board; and

5 (2) "online ballot marking tool" does not include a system that is capable of

6 storing, tabulating, or transmitting votes or voted ballots by electronic or electromagnetic

7 means through the Internet.

8 (b) The State Board may provide an accessible optional online ballot marking tool

9 for use by a voter who requested to have the absentee ballot sent by the Internet **UNDER §**

10 **9-306(B)(2) OF THIS SUBTITLE.**

11 (c) (1) Except as provided in paragraph (2) of this subsection, the State Board

12 shall certify that an online ballot marking tool satisfies all of the certification requirements

13 under § 9-102(d) of this title before approving an online ballot marking tool for use by

14 voters.

15 (2) An online ballot marking tool is not required to satisfy the requirements

16 of:

17 (i) § 9-102(d)(2) of this title if the U.S. Election Assistance

18 Commission has not approved specific performance and test standards for online ballot

19 marking tools; or

20 (ii) § 9-102(d)(1)(iii) of this title.

21 (d) (1) This subsection applies if an online ballot marking tool utilizes a bar

22 code that is used to generate a ballot that is acceptable for machine tabulation.

23 (2) A local board shall compare the vote in each contest on the ballot

24 marked by the voter to the vote in each contest on the ballot generated from the bar code

25 during the canvass.

26 (3) If there is a discrepancy in any contest between the vote on the ballot

27 marked by the voter and the vote on the ballot generated from the bar code, the vote on the

28 ballot marked by the voter shall be considered valid and shall be counted.

29 9-310.

30 (A) **IN THIS SECTION, "PRIVACY SLEEVE" MEANS A SPECIALLY DESIGNED**

31 **SLEEVE IN WHICH AN ABSENTEE BALLOT IS PLACED TO OBSCURE THE BALLOT**

32 **CONTENTS SO THAT THE BALLOT MAY NOT BE SEEN THROUGH AN OUTGOING OR**

1 **RETURN ENVELOPE.**

2 [(a)] (B) (1) This subsection applies only to an absentee ballot that is sent by
3 mail.

4 (2) (I) An absentee ballot shall be enclosed in specially printed
5 envelopes, the form and content of which shall be prescribed by the State Board.

6 (II) **THE FORM AND CONTENT PRESCRIBED UNDER**
7 **SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT INCLUDE LANGUAGE OR**
8 **INFORMATION THAT VISIBLY IDENTIFIES THE PARTY AFFILIATION OF THE VOTER.**

9 (3) (i) A local board may use either two envelopes **AND A PRIVACY**
10 **SLEEVE** or three envelopes.

11 (ii) If two envelopes **AND A PRIVACY SLEEVE** are used, **THE**
12 **PRIVACY SLEEVE SHALL BE USED TO ENCASE THE ABSENTEE BALLOT AND SHALL FIT**
13 **INSIDE** the inner envelope **THAT** shall be designated the “ballot/return envelope”, and,
14 when issued, it shall fit inside the envelope designated the “outgoing envelope”.

15 (iii) If three envelopes are used, the innermost envelope shall be
16 designated the “ballot envelope”, which shall fit inside the envelope designated the “return
17 envelope”, both of which, when issued, shall fit inside the envelope designated the “outgoing
18 envelope”.

19 (iv) The ballot/return envelope described under subparagraph (ii) of
20 this paragraph and the return envelope described under subparagraph (iii) of this
21 paragraph provided to a voter voting by absentee ballot:

22 1. shall include prepaid postage; **AND**

23 2. **MAY NOT INCLUDE LANGUAGE OR INFORMATION**
24 **THAT VISIBLY IDENTIFIES THE ADDRESS, THE PARTY AFFILIATION, OR THE ZIP CODE**
25 **OF THE VOTER.**

26 (4) (i) An absentee ballot shall be accompanied by instructions for
27 postage of the ballot/return envelope or the return envelope.

28 (ii) The instructions for postage shall include:

29 1. a statement that the ballot/return envelope or return
30 envelope includes prepaid postage and may be mailed as is; and

31 2. directions for how a voter may attach postage for the
32 purpose of reducing the costs of the local board.

1 (5) When voted and returned to the local board, an absentee ballot shall be
2 enclosed in a ballot envelope or ballot/return envelope, on which has been printed an oath
3 prescribed by the State Board.

4 **[(b)] (C)** The State Board shall reimburse each local board for 50% of the cost of
5 prepaid postage included on ballot/return envelopes or return envelopes provided to a voter
6 voting by absentee ballot under subsection **[(a)(3)(iv)] (B)(3)(IV)1** of this section.

7 **[(c)] (D) (1)** If an absentee ballot is sent by the Internet or facsimile
8 transmission, the local board shall provide the voter with an envelope template, the oath
9 prescribed by the State Board, and instructions for marking and returning the absentee
10 ballot.

11 **(2) AN ENVELOPE TEMPLATE PROVIDED UNDER PARAGRAPH (1) OF**
12 **THIS SUBSECTION MAY NOT INCLUDE LANGUAGE OR INFORMATION THAT VISIBLY**
13 **IDENTIFIES THE ADDRESS, THE PARTY AFFILIATION, OR THE ZIP CODE OF THE**
14 **VOTER.**

15 **9-310.1.**

16 **(A) SUBJECT TO § 10-301.1(E) OF THIS ARTICLE, FOR EACH ELECTION,**
17 **EACH LOCAL BOARD SHALL DESIGNATE LOCATIONS IN THE COUNTY AT WHICH A**
18 **BALLOT DROP BOX WILL BE PLACED.**

19 **(B) A PERSON MAY NOT PLACE A BOX THAT MAY BE USED TO COLLECT**
20 **COMPLETED ABSENTEE BALLOTS UNLESS:**

21 **(1) THE BOX IS OFFICIALLY DESIGNATED AS A BALLOT DROP BOX BY**
22 **A LOCAL BOARD; AND**

23 **(2) THE PERSON HAS BEEN DIRECTED BY THE LOCAL BOARD TO**
24 **PLACE THE BOX.**

25 10-301.

26 (a) On an election day, a polling place shall be open from 7 a.m. until 8 p.m.

27 (b) A voter who has appeared at a polling place by the closing hour to cast a ballot
28 shall be allowed to vote.

29 **(C) A VOTER IN LINE TO DEPOSIT AN ABSENTEE BALLOT AT A BALLOT DROP**
30 **BOX BY THE CLOSING HOUR SHALL BE ALLOWED TO DEPOSIT THE ABSENTEE**
31 **BALLOT.**

32 10-301.1.

1 (a) Except as provided under Title 9, Subtitle 3 of this article, during any
2 regularly scheduled primary or general election a voter may vote:

3 (1) in the voter's assigned precinct on election day; or

4 (2) at an early voting center in the voter's county of residence on any early
5 voting day in accordance with this section.

6 (b) (1) **[Each] SUBJECT TO PARAGRAPH (8) OF THIS SUBSECTION, EACH**
7 county shall have at least one early voting center established in the county as prescribed
8 in this subsection.

9 (2) A county with fewer than 125,000 registered voters shall have one early
10 voting center established in the county.

11 (3) A county with more than 125,000 registered voters but fewer than
12 200,000 registered voters shall have three early voting centers established in the county.

13 (4) A county with more than 200,000 registered voters but fewer than
14 300,000 registered voters shall have four early voting centers established in the county.

15 (5) A county with more than 300,000 registered voters but fewer than
16 450,000 registered voters shall have seven early voting centers established in the county.

17 (6) A county with more than 450,000 registered voters shall have eleven
18 early voting centers.

19 (7) In addition to the early voting centers required in this subsection, each
20 county may establish one additional early voting center if the State Board, in collaboration
21 with the local board, and the governing body of the county agree to establish an additional
22 early voting center.

23 **(8) EACH LOCAL BOARD, IN COLLABORATION WITH THE STATE**
24 **BOARD, SHALL ENSURE THAT EARLY VOTING CENTERS ARE GEOGRAPHICALLY**
25 **DISPERSED THROUGHOUT THE COUNTY SO THAT NOT LESS THAN 80% OF THE**
26 **REGISTERED VOTERS IN THE COUNTY LIVE WITHIN A 5-MILE RADIUS OF AN EARLY**
27 **VOTING CENTER.**

28 (c) No later than 6 months before a primary election, the State Board, in
29 collaboration with the local board in each county, shall designate each early voting center
30 in that county.

31 (d) Each early voting center shall be open for voting as follows:

32 (1) beginning the second **[Thursday] MONDAY** before a primary or general

1 election through the [Thursday before] **MONDAY IMMEDIATELY PRECEDING** the election;
2 and

3 (2) during the [following] hours[:

4 (i) in a presidential general election, during the hours between 8
5 a.m. and 8 p.m. each early voting day; and

6 (ii) in all other elections, during the hours between 10 a.m. and 8
7 p.m. each early voting day] **BETWEEN 7 A.M. AND 8 P.M. EACH EARLY VOTING DAY.**

8 (e) Each early voting center shall:

9 (1) satisfy the requirements of § 10–101 of this title; **AND**

10 (2) **HAVE ONE BALLOT DROP BOX.**

11 (f) Beginning 30 days prior to each early voting period the State Board and each
12 local board shall undertake steps to inform the public about early voting and the location
13 of early voting centers in each county, including:

14 (1) a series of public service media announcements;

15 (2) mailings to all registered voters in each county; and

16 (3) other measures as appropriate.

17 (g) Except as expressly provided in this section, any provision of this article that
18 applies to voting on election day also applies to early voting.

19 (h) The State Board shall adopt regulations and guidelines in accordance with the
20 requirements of this section for the conduct of early voting.

21 11–302.

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

25 (b) (1) A local board may not open any envelope of an absentee ballot [prior to]
26 **BEFORE** 8 a.m. on the [Wednesday following] **DAY THAT IS 15 DAYS BEFORE** election day.

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

29 (c) (1) An absentee ballot shall be deemed timely received if it is received in

1 accordance with the regulations and guidelines established by the State Board.

2 (2) An absentee ballot that is received after the deadline specified by the
3 regulations and guidelines may not be counted.

4 (d) (1) The State Board shall adopt regulations that reflect the policy that the
5 clarity of the intent of the voter is the overriding consideration in determining the validity
6 of an absentee ballot or the vote cast in a particular contest.

7 (2) A local board may not reject an absentee ballot except by unanimous
8 vote and in accordance with regulations of the State Board.

9 (3) **[The] SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE** local
10 board shall reject an absentee ballot if:

11 (i) the voter failed to sign the oath on the ballot envelope;

12 (ii) the local board received more than one ballot from the same
13 individual for the same election in the same ballot envelope; or

14 (iii) the local board determines that an absentee ballot is
15 intentionally marked with an identifying mark that is clearly evident and placed on the
16 ballot for the purpose of identifying the ballot.

17 **(4) (I) IF AN ABSENTEE BALLOT CONTAINS AN ERROR THAT WOULD**
18 **INVALIDATE THE BALLOT, WITHIN 3 DAYS AFTER THE DATE ON WHICH THE ERROR**
19 **ON THE BALLOT WAS DETERMINED, A LOCAL BOARD SHALL SEND THE VOTER A**
20 **NOTICE THAT DESCRIBES:**

21 **1. THE ERROR ON THE BALLOT;**

22 **2. THE PROCESS AND TIMELINE FOR CORRECTING THE**
23 **ERROR; AND**

24 **3. THE CONSEQUENCES OF FAILING TO CORRECT THE**
25 **ERROR.**

26 **(II) THE LOCAL BOARD SHALL SEND THE NOTICE REQUIRED**
27 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH BY:**

28 **1. FIRST-CLASS MAIL; AND**

29 **2. A. E-MAIL;**

30 **B. TELEPHONE; OR**

1 **C. TEXT MESSAGE.**

2 **(III) A VOTER MUST CORRECT THE ERROR ON AN ABSENTEE**
3 **BALLOT OR RETURN A CORRECTED ABSENTEE BALLOT TO THE LOCAL BOARD NOT**
4 **LATER THAN 10 DAYS AFTER ELECTION DAY IN ORDER FOR THE ABSENTEE BALLOT**
5 **TO BE COUNTED.**

6 **[(4)] (5)** If the local board receives more than one legally sufficient ballot,
7 in separate envelopes, from the same individual, the local board shall:

8 **(i) NOTIFY THE VOTER THAT TWO LEGALLY SUFFICIENT**
9 **BALLOTS WERE RECEIVED; AND**

10 **(II) 1.** count only the ballot with the [latest] **FIRST** properly
11 signed oath; and

12 **[(ii)] 2.** reject any other ballot.

13 **[(5)] (6)** If the intent of the voter is not clearly demonstrated, the local
14 board shall reject only the vote for that office or question.

15 **[(6)] (7)** If an absentee voter casts a vote for an individual who has ceased
16 to be a candidate, the vote for that candidate may not be counted, but that vote does not
17 invalidate the remainder of the ballot.

18 **(E) A LOCAL BOARD MAY NOT REJECT AN ABSENTEE BALLOT SOLELY**
19 **BECAUSE THE VOTER FAILED TO RETURN THE ABSENTEE BALLOT USING TWO**
20 **ENVELOPES AND A PRIVACY SLEEVE OR THREE ENVELOPES IN ACCORDANCE WITH**
21 **THIS SECTION.**

22 **[(e)] (F) [At] BEGINNING ON ELECTION DAY, AT** the end of each day of
23 canvassing, a local board shall prepare and release a report of the unofficial results of the
24 absentee ballot vote tabulation.

25 11-402.

26 (a) Unless otherwise provided by the Maryland Constitution, and except as
27 provided in subsection (b) of this section, each board of canvassers shall prepare a
28 statement of election results by precinct for each candidate or question voted on at the
29 election and declare:

30 (1) who is elected or nominated for office:

31 (i) in county government; or

1 (ii) for any other office voted for only within that county, if the
2 certificate of candidacy for that office was issued by the local board; and

3 (2) whether or not a question is adopted or approved.

4 (b) The statement prepared by the board of canvassers under this section [may
5 not] **SHALL** report the **EARLY**, absentee, **AND PROVISIONAL** vote separately by precinct.

6 (c) Each local board shall publish a sufficient number of copies of the complete
7 election results, tabulated by precinct, and shall make the copies available to the public at
8 cost.

9 (d) (1) In addition to the statement of election results specified under
10 subsection (a) of this section, the State Board shall make available in an electronic format
11 a report of election results for each candidate or question voted on at the election:

12 (i) by precinct, **INCLUDING THE EARLY, ABSENTEE, AND**
13 **PROVISIONAL VOTE;**

14 (ii) by State legislative district, including any subdistrict;

15 (iii) by county legislative district; and

16 (iv) for each county as a whole.

17 (2) The State Board may make the report specified under paragraph (1) of
18 this subsection available to the public at cost.

19 **16-602.**

20 **(A) A PERSON MAY NOT RELEASE A PARTIAL OR COMPLETE TABULATION OF**
21 **THE VOTES CAST BY ABSENTEE BALLOT BEFORE THE CLOSING OF THE POLLS ON**
22 **ELECTION DAY.**

23 **(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND IS**
24 **SUBJECT TO IMPRISONMENT FOR NOT MORE THAN 2 YEARS.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
26 members of the Maryland Debate Commission established under § 8-104 of the Election
27 Law Article, as enacted by Section 1 of this Act, shall expire as follows:

28 (1) two members who are journalists and one member from a nonpartisan
29 organization in 2022;

30 (2) one member who is a journalist and two members from nonpartisan

1 organizations in 2023; and

2 (3) the member of the general public who is unaffiliated with a political
3 party in 2024.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2021.