Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1068 (Delegate Feldmark)

Ways and Means Education, Health, and Environmental Affairs

Election Law – Absentee Ballot Canvassing – Multiple Ballots Cast by an Individual

This bill requires a local board of elections – if the local board receives a legally sufficient absentee ballot and a provisional ballot from the same individual – to count the absentee ballot and reject the provisional ballot. **The bill takes effect June 1, 2021.**

Fiscal Summary

State Effect: None. The bill does not directly affect State finances.

Local Effect: None. The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law: State law requires a local board of elections to reject a provisional ballot if the individual cast more than one ballot for the same election. Under provisions governing canvassing of absentee ballots, State law requires a local board of elections – if the local board receives more than one legally sufficient ballot, in separate envelopes, from the same individual – to count only the ballot with the latest properly signed oath and reject any other ballot.

Pursuant to State Board of Elections regulations, if an absentee ballot and provisional ballot are received from the same individual, a local board of elections must reject both ballots. Emergency regulations in effect during the 2020 general election, that have since expired,

required a local board, if an absentee ballot and provisional ballot were received from the same individual, to reject the provisional ballot.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Montgomery, Washington, and Worcester counties; Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2021
rh/hlb   Third Reader - March 18, 2021

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