

HOUSE BILL 328

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2lr1673

By: **Delegate D. Jones**

Introduced and read first time: January 19, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – Polling Place Location Restrictions – Repeal**

3 FOR the purpose of repealing restrictions on holding an election in a building used, owned,
4 or occupied by an establishment that holds an alcoholic beverages license; and
5 generally relating to restrictions on polling place locations.

6 BY repealing and reenacting, with amendments,
7 Article – Election Law
8 Section 10–101(a)(4)
9 Annotated Code of Maryland
10 (2017 Replacement Volume and 2021 Supplement)

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

13 **Article – Election Law**

14 10–101.

15 (a) (4) (i) If suitable space in a public building is not available, a local board
16 may pay a reasonable fee for the use of space in a privately owned building.

17 (ii) A polling place may not be located in a privately owned building
18 unless the owner of the building agrees to:

19 1. allow electioneering on the premises up to the
20 electioneering boundary established under § 16–206(b) of this article; and

21 2. allow campaign signs on the premises, at a minimum,
22 from:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 A. 5 p.m. the day immediately preceding election day until 8
2 a.m. on the day immediately following election day; and

3 B. 5 p.m. the day before an early voting period begins under
4 § 10–301.1 of this title until 8 a.m. the day after the early voting period ends.

5 [(iii) Except as provided in subparagraphs (iv) and (v) of this
6 paragraph, an election may not be held in any building or part of any building used or
7 occupied by an establishment that holds an alcoholic beverages license.

8 (iv) An election may be held in a building that is owned and occupied
9 by an establishment that holds an alcoholic beverages license if:

10 1. the local board determines that there is no suitable
11 alternative place to hold an election;

12 2. the licensee agrees not to sell or dispense alcoholic
13 beverages during the period beginning 2 hours before the polls open and ending 2 hours
14 after the polls close; and

15 3. where applicable, all ballots are removed from the polling
16 place by the local board immediately following the election.

17 (v) An early voting center may be located in a building that is
18 partially occupied by an establishment that holds an alcoholic beverages license if:

19 1. the State Board, in collaboration with a local board,
20 determines that the building is a suitable site for an early voting center; and

21 2. the entrance to a licensee's establishment is at least 100
22 feet from the entrance to the building that is closest to the part of the building where the
23 early voting center is located.]

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
25 1, 2022.