HOUSE BILL 328

By: Delegate D. Jones
Introduced and read first time: January 19, 2022
 Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Elections – Polling Place Location Restrictions – Repeal

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

BY repealing and reenacting, with amendments,

Article – Election Law
Section 10–101(a)(4)
Annotated Code of Maryland
(2017 Replacement Volume and 2021 Supplement)

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

Article – Election Law


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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
A. 5 p.m. the day immediately preceding election day until 8 a.m. on the day immediately following election day; and

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

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

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

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

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

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

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

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

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

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