

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 907

(Senator Simonaire)

Education, Health, and Environmental Affairs

Ways and Means

Elections - Polling Place Location Restrictions - Repeal

This emergency bill requires the State Board of Elections (SBE) to adopt specified regulations, by August 31, 2022, governing the use of a building or part of a building that is owned, occupied, or partially occupied by an establishment that holds an alcoholic beverages license as a polling place. Contingent on adoption of those regulations, the bill repeals provisions in State election law that limit the extent to which an election can be held in any building or part of any building used or occupied by an establishment that holds an alcoholic beverages license.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires SBE to adopt regulations, by August 31, 2022, governing the use of a building or part of a building that is owned, occupied, or partially occupied by an establishment that holds an alcoholic beverages license as a polling place. The regulations must require a local board of elections to prioritize the placement of polling locations in buildings that are not owned, occupied, or partially occupied by an establishment that holds an alcoholic beverages license.

Within five days after adopting the regulations, SBE must provide notice of the adoption of the regulations to the Department of Legislative Services (DLS). If the notice is received by DLS by August 31, 2022, provisions in State election law that limit the extent to which an election can be held in any building or part of any building used or occupied by an establishment that holds an alcoholic beverages license are repealed, on the date that DLS receives the notice.

Current Law: With certain exceptions, under State election law, 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.

An election may be held in a building that is owned or occupied by an establishment that holds an alcoholic beverages license if (1) the local board of elections 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 two hours before the polls open and ending two 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.

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) SBE, 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.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 328 (Delegate D. Jones) - Ways and Means.

Information Source(s): State Board of Elections; Baltimore, Carroll, Cecil, Harford, and St. Mary's counties; Department of Legislative Services

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