

May 27, 2022

The Honorable Bill Ferguson
President of the Maryland Senate
H-107 State House
Annapolis, MD 21401

The Honorable Adrienne A. Jones
Speaker of the House of Delegates
H-101 State House
Annapolis, MD 21401

Dear Mr. President and Madam Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 862 and Senate Bill 163 – *Election Law – Ballots – Processing and Reporting Procedures*.

As the very foundation of democracy, free and fair elections provide citizens with a voice that is essential to the accountability of elected officials and the proper functioning of government. Amidst the many uncertainties of an unprecedented global pandemic, the 2020 election cycle experienced a tremendous expansion of mail-in voting across our State and the entire nation – and as more and more voters embrace mail-in voting, it is imperative that we remain mindful of maintaining that crucial balance between ease of access and election integrity.

Several provisions within House Bill 862 and Senate Bill 163 offer positive changes to State election law. Early canvassing of absentee ballots would allow hard working election officials to get a much needed head start on the deluge of ballot envelopes that, under current law, must wait until after Election Day for processing. Precinct level reporting that includes early, absentee, and provisional ballots would provide valuable information to elected officials in relation to their constituents, as well as to election officials regarding the allocation of resources. Additionally, the codification of a ballot curing process would allow voters an opportunity to correct an error by providing a signature for the oath on an absentee ballot envelope – and therefore, have their vote counted.

Maximizing voter participation and providing citizens with accessible and convenient ways to cast their ballots is vital to a healthy democracy. Just as equally vital, however, are election security and voter confidence – and most scholars agree that

abuse does happen more so with mail-in voting versus voting in person. Yet, as our vote by mail numbers rise, the missing piece in this legislation is that balance – for even the *appearance* of impropriety or the *opportunity* for fraud can be enough to undermine citizens' confidence in their electoral system. While this legislation allows a voter to provide a missing signature by one of several ways – including in person, mail, email, and text – it remains silent on basic security measures such as signature verification – with Maryland being one of only nine states that does not conduct signature verification – and does nothing to address ballot collecting.

For these reasons, I have vetoed House Bill 862 and Senate Bill 163.

Sincerely,

Lawrence J. Hogan, Jr.
Governor