

HOUSE BILL 594

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3lr1841

By: **Delegate Fair**

Introduced and read first time: February 3, 2023

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Ascertainment of Results – Process**

3 FOR the purpose of requiring that the Governor ascertain and enumerate the number of
4 votes cast for each candidate in certain elections consistent with the returns of the
5 election received by the Governor in accordance with certain provisions of law;
6 requiring the Governor to issue and transmit a certificate of ascertainment of
7 presidential electors under certain provisions of federal law; and generally relating
8 to the process of ascertaining the results of elections.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 11–601
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2022 Supplement)

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

16 **Article – Election Law**

17 11–601.

18 (a) On receipt, in accordance with this subtitle, of the returns of an election for
19 electors to choose a President and Vice President of the United States or of an election to
20 choose a member of Congress, the Governor shall, **CONSISTENT WITH THE RETURNS OF**
21 **THE ELECTION RECEIVED BY THE GOVERNOR IN ACCORDANCE WITH THIS**
22 **SUBTITLE:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) ascertain and enumerate the number of votes cast for each candidate
2 for President and Vice President of the United States and declare elected the presidential
3 electors of the candidates who receive the highest number of votes; and

4 (2) in each contest, ascertain and enumerate the number of votes cast for
5 each candidate voted for as a member of Congress and declare elected the candidate who
6 receives the highest number of votes.

7 (b) After ascertaining and enumerating the number of votes for candidates as
8 required by subsection (a) of this section, the Governor shall:

9 **(1) ISSUE AND TRANSMIT A CERTIFICATE OF ASCERTAINMENT OF**
10 **ELECTORS UNDER 3 U.S.C. § 5;**

11 **[(1)] (2)** sign and issue a proclamation declaring the name of each
12 candidate who is elected; and

13 **[(2)] (3)** cause the proclamation to be published in newspapers.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2023.