

**HB0322/603221/1**

BY: Ways and Means Committee

AMENDMENTS TO HOUSE BILL 322  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**State Administrator of Elections** –”; in the same line, after “**Municipal Elections**” insert “– **Administration**”; in line 4, strike “municipalities” and substitute “municipal corporations”; in line 5, strike “municipality” and substitute “municipal corporation”; in line 6, strike “municipality’s” and substitute “municipal corporation’s”; in the same line, after “elections;” insert “authorizing the State Administrator to lease a voting system or other equipment used to administer an election to a municipal corporation for use in a municipal election; repealing the authority of a local board of elections to lease a voting system to a governmental or nongovernmental entity within the county; altering the deadline for municipal corporations to request that the State Board of Elections include on a ballot offices and questions to be voted on in a municipal election and the certification that must be included in the request;”; in line 15, after “2–103(e)” insert “and (f)”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - Election Law

Section 9-105

Annotated Code of Maryland

(2022 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,

Article - Local Government

Section 4-108.3(a) and (b)

Annotated Code of Maryland

(2013 Volume and 2024 Supplement)

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BY repealing and reenacting, with amendments,

Article - Local Government

Section 4-108.3(c)

Annotated Code of Maryland

(2013 Volume and 2024 Supplement)".

AMENDMENT NO. 2

On page 2, in lines 2 and 3, in each instance, strike "MUNICIPALITY" and substitute "MUNICIPAL CORPORATION"; in line 4, strike "MUNICIPALITY'S" and substitute "MUNICIPAL CORPORATION'S"; and after line 4, insert:

**"(F) (1) THE STATE ADMINISTRATOR MAY LEASE A VOTING SYSTEM OR ANY OTHER EQUIPMENT USED TO ADMINISTER AN ELECTION TO A MUNICIPAL CORPORATION FOR USE IN A MUNICIPAL ELECTION IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING ENTERED INTO UNDER SUBSECTION (E) OF THIS SECTION.**

**(2) THE STATE ADMINISTRATOR SHALL:**

**(I) DETERMINE THE TERMS AND CONDITIONS OF THE LEASE; AND**

**(II) DISTRIBUTE THE PROCEEDS OF THE LEASE TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THIS ARTICLE.**

9-105.

**[(a)] Acquisition of a voting system shall be by purchase, lease, or rental and shall be exempt from State, county, or municipal taxation.**

[(b) (1) A local board may lease a voting system to any governmental or nongovernmental entity within the county.

(2) The local board shall determine the terms and conditions of the lease.

(3) The local board shall pay to the governing body of the county, within 30 days of receipt, the proceeds of the lease.]

**Article – Local Government**

4–108.3.

(a) (1) In this section the following words have the meanings indicated.

(2) “Ballot” means a ballot prepared by the State Board of Elections under Title 9 of the Election Law Article.

(3) “State Board” means the State Board of Elections.

(b) A municipality may request that the State Board include on a ballot the offices and questions to be voted on in a municipal election.

(c) (1) A municipality that makes a request under this section shall:

(i) file the request with the State Board on or before the day that is [18] 9 months before the deadline date applicable for individuals who are required to file a certificate of candidacy as required under § 5–303 of the Election Law Article; and

(ii) certify as part of the request that the charter of the municipality requires, and the municipality has established, deadlines and procedures for the administration of municipal elections for the municipality that are consistent

(Over)

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with the deadlines and procedures for State and county elections established by the State Board with regard to:

1. the filing of certificates of candidacy;
2. the filling of a vacancy in office;
3. the filing of a petition; [and]
4. the certification of a ballot question;
- 5. VOTER REGISTRATION; AND**
- 6. VOTING.**

(2) (i) Except as provided in subparagraph (ii) of this paragraph, if the State Board previously included a municipal election on the ballot, that municipality's elections may continue to appear on the ballot without the municipality filing an additional request under this section.

(ii) A municipality shall file a request under this section if, since the municipality's election last appeared on the ballot, there has been a significant change in the method the municipality uses to conduct its elections.

(3) Within 30 days after receipt of a municipality's request under this section, the State Board, after consultation with the local board in the county where the municipality is located, shall notify the municipality of its decision whether to include the municipal election on the ballot."