

HOUSE BILL 317

G1

5lr0767

By: **Delegates Williams and Wilkins**

Introduced and read first time: January 10, 2025

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2025

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Curbside Voting – Pilot Program**

3 FOR the purpose of establishing the Curbside Voting Pilot Program to test the viability of
4 curbside voting in the State; establishing requirements governing curbside voting,
5 including requirements related to the designation of curbside voting locations and
6 how to vote at a curbside voting location; and generally relating to the Curbside
7 Voting Pilot Program.

8 BY adding to

9 Article – Election Law

10 Section 1–101(p–1) and 10–316

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Election Law

15 Section 9–102(d)(1)

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2024 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Election Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 1–101.

2 (P–1) “CURBSIDE VOTING” MEANS THE PROCESS BY WHICH A VOTER
3 COMPLETES AND CASTS A BALLOT AT AN OUTSIDE LOCATION DESIGNATED UNDER §
4 10–316 OF THIS ARTICLE AND UNDER OBSERVATION OF ELECTION JUDGES.

5 9–102.

6 (d) The State Board may not certify a voting system unless the State Board
7 determines that:

8 (1) the voting system will:

9 (i) protect the secrecy of the ballot;

10 (ii) protect the security of the voting process;

11 (iii) count and record all votes accurately;

12 (iv) accommodate any ballot used under this article;

13 (v) protect all other rights of voters and candidates;

14 (vi) be capable of creating a paper record of all votes cast in order
15 that an audit trail is available in the event of a recount, including a manual recount; [and]

16 (vii) provide a voter–verifiable paper record that:

17 1. is an individual document that is physically separated
18 from any other similar document and not part of a continuous roll;

19 2. is sufficiently durable to withstand repeated handling for
20 the purposes of mandatory random audits and recounts; and

21 3. uses ink that does not fade, smear, or otherwise degrade
22 and obscure or obliterate the paper record over time; AND

23 (VIII) FOR A VOTING SYSTEM USED IN THE CURBSIDE VOTING
24 PILOT PROGRAM UNDER § 10–316 OF THIS ARTICLE, ACCOMMODATE CURBSIDE
25 VOTING;

26 10–316.

27 (A) IN THIS SECTION, “PILOT PROGRAM” MEANS THE CURBSIDE VOTING
28 PILOT PROGRAM ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

1 **(B) THERE IS A CURBSIDE VOTING PILOT PROGRAM TO TEST THE**
2 **VIABILITY OF CURBSIDE VOTING IN THE STATE.**

3 **(C) THE STATE BOARD, IN CONJUNCTION WITH THE LOCAL BOARDS, SHALL**
4 **IMPLEMENT AND ADMINISTER THE PILOT PROGRAM.**

5 **(D) (1) THE STATE BOARD SHALL DESIGNATE THE FOLLOWING**
6 **COUNTIES IN WHICH TO IMPLEMENT THE PILOT PROGRAM:**

7 **(I) ONE COUNTY WITH A COMPARATIVELY SMALL NUMBER OF**
8 **REGISTERED VOTERS;**

9 **(II) ONE COUNTY WITH A COMPARATIVELY MEDIUM NUMBER OF**
10 **REGISTERED VOTERS; AND**

11 **(III) ONE COUNTY WITH A COMPARATIVELY LARGE NUMBER OF**
12 **REGISTERED VOTERS.**

13 **(2) AT LEAST 6 MONTHS BEFORE EACH STATEWIDE PRIMARY**
14 **ELECTION, THE LOCAL BOARD OF EACH COUNTY DESIGNATED UNDER PARAGRAPH**
15 **(1) OF THIS SUBSECTION SHALL DESIGNATE A LOCATION FOR CURBSIDE VOTING**
16 **OUTSIDE:**

17 **(I) DURING EARLY VOTING, ONE EARLY VOTING CENTER OR**
18 **OTHER APPROPRIATE BUILDING AS DETERMINED BY THE LOCAL BOARD; AND**

19 **(II) ON ELECTION DAY:**

20 **1. THE OFFICE OF THE LOCAL BOARD;**

21 **2. IF USING THE OFFICE OF THE LOCAL BOARD IS NOT**
22 **PRACTICABLE, ONE POLLING PLACE; OR**

23 **3. IF USING THE OFFICE OF THE LOCAL BOARD OR A**
24 **POLLING PLACE IS NOT PRACTICABLE, AN APPROPRIATE BUILDING AS DETERMINED**
25 **BY THE LOCAL BOARD.**

26 **(3) A LOCAL BOARD SHALL TAKE INTO ACCOUNT THE FOLLOWING**
27 **FACTORS WHEN DETERMINING A LOCATION FOR CURBSIDE VOTING:**

28 **(I) ACCESSIBILITY OF THE LOCATION TO HISTORICALLY**
29 **DISENFRANCHISED COMMUNITIES;**

1 (II) PROXIMITY OF THE LOCATION TO DENSE CONCENTRATIONS
2 OF VOTERS;

3 (III) ACCESSIBILITY OF THE LOCATION BY PUBLIC
4 TRANSPORTATION; AND

5 (IV) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH
6 THE USE OF COMMUNITY CENTERS AND PUBLIC GATHERING PLACES AS LOCATIONS
7 FOR CURBSIDE VOTING.

8 (4) CURBSIDE VOTING SHALL BE MADE AVAILABLE AT EACH
9 LOCATION ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION TO ANY
10 REGISTERED VOTER ON REQUEST ON THE DAYS AND DURING THE HOURS THAT
11 EARLY VOTING CENTERS AND POLLING PLACES ARE OPEN.

12 (5) THE STATE BOARD AND EACH LOCAL BOARD SHALL EMPHASIZE
13 IN COMMUNICATIONS WITH VOTERS AND THE GENERAL PUBLIC, INCLUDING
14 SIGNAGE AT EACH CURBSIDE VOTING LOCATION, THAT CURBSIDE VOTING IS
15 PRIMARILY AN ACCOMMODATION FOR VOTERS WITH DISABILITIES, AS DEFINED IN
16 THE FEDERAL AMERICANS WITH DISABILITIES ACT, VOTERS WITH LIMITED
17 MOBILITY, AND ELDERLY VOTERS.

18 ~~(5)~~ (6) THE CURBSIDE VOTING LOCATION SHALL BE EQUIPPED TO:

19 (I) ALLOW THE VOTER TO COMPLETE THE BALLOT WITHOUT
20 ASSISTANCE, UNLESS ASSISTANCE IS REQUESTED BY THE VOTER; AND

21 (II) PRESERVE THE SECRECY OF THE VOTER'S BALLOT WHILE
22 VOTING.

23 ~~(6)~~ (7) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS
24 PARAGRAPH AND IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE
25 BOARD, THE LOCAL BOARD SHALL ESTABLISH:

26 1. A LINE AROUND EACH CURBSIDE VOTING LOCATION
27 BEYOND WHICH CANVASSING, ELECTIONEERING, OR POSTING OF CAMPAIGN
28 MATERIAL IS PROHIBITED; AND

29 2. A BOUNDARY AROUND A CAR THAT IS WAITING IN LINE
30 FOR CURBSIDE VOTING WITHIN WHICH CANVASSING AND ELECTIONEERING IS
31 PROHIBITED.

1 **(II) IF A CURBSIDE VOTING LOCATION IS ESTABLISHED**
2 **OUTSIDE AN EARLY VOTING CENTER OR POLLING PLACE, THE LOCAL BOARD SHALL,**
3 **TO THE MAXIMUM EXTENT PRACTICABLE:**

4 **1. ESTABLISH THE CURBSIDE VOTING LOCATION WITHIN**
5 **THE LINE ESTABLISHED UNDER § 16-206(B) OF THIS ARTICLE; AND**

6 **2. AVOID EXPANDING THE AREA WITHIN THE LINE**
7 **ESTABLISHED UNDER § 16-206(B) OF THIS ARTICLE TO ACCOMMODATE THE**
8 **CURBSIDE VOTING LOCATION.**

9 **(E) AT EACH CURBSIDE VOTING LOCATION, THE LOCAL BOARD SHALL:**

10 **(1) POST SIGNS INFORMING VOTERS OF:**

11 **(I) THE LOCATION OF CURBSIDE VOTING; AND**

12 **(II) HOW TO NOTIFY AN ELECTION JUDGE THAT THE VOTER IS**
13 **WAITING AT THE CURBSIDE VOTING LOCATION; AND**

14 **(2) ENSURE THAT VOTERS RECEIVE PROMPT SERVICE FROM THE**
15 **ELECTION JUDGES.**

16 **(F) (1) A VOTER SEEKING TO USE CURBSIDE VOTING SHALL:**

17 **(I) REQUEST CURBSIDE VOTING FROM AN ELECTION JUDGE AT**
18 **THE CURBSIDE VOTING LOCATION; AND**

19 **(II) PROVIDE AN ELECTION JUDGE WITH THE INFORMATION**
20 **REQUIRED TO CHECK IN THE VOTER THROUGH THE POLLBOOK AT THE CURBSIDE**
21 **VOTING LOCATION.**

22 **(2) AN ELECTION JUDGE SHALL GIVE A VOTER USING CURBSIDE**
23 **VOTING THE CHOICE TO VOTE BY MARKING A PAPER BALLOT OR BY USING A BALLOT**
24 **MARKING DEVICE AT THE CURBSIDE VOTING LOCATION.**

25 **(3) IF THE VOTER CHOOSES TO VOTE USING A PAPER BALLOT, AFTER**
26 **MARKING THE BALLOT, THE VOTER SHALL DEPOSIT THE BALLOT IN THE CONTAINER**
27 **PROVIDED BY THE ELECTION JUDGE TO BE COUNTED.**

28 **(4) IF THE VOTER CHOOSES TO VOTE USING A BALLOT MARKING**
29 **DEVICE, AN ELECTION JUDGE SHALL BRING A BALLOT MARKING DEVICE OUTSIDE**
30 **TO THE VOTER.**

1 (G) ON OR BEFORE SEPTEMBER 1, 2029, THE STATE BOARD SHALL REPORT
2 TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE
3 GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THE CURBSIDE VOTING
4 PILOT PROGRAM.

5 (H) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS
6 SECTION.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2025. It shall remain effective for a period of 4 years and, at the end of September
9 30, 2029, this Act, with no further action required by the General Assembly, shall be
10 abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.