

HOUSE BILL 1042

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5lr2825

By: **Delegate Roberts**

Introduced and read first time: February 5, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Absentee Ballots – Duly Authorized Agents**

3 FOR the purpose of requiring that certain information regarding the use of an agent to pick
4 up and deliver absentee ballots be conspicuously displayed on each specimen ballot;
5 prohibiting a candidate’s representative from being a duly authorized agent for the
6 purpose of picking up and delivering an absentee ballot for a registered voter; and
7 generally relating to the use of an agent to pick up and deliver absentee ballots.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 9–214 and 9–307
11 Annotated Code of Maryland
12 (2022 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Election Law
15 Section 9–312
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**

21 9–214.

22 **(A)** Each local board shall provide specimen ballots, so labeled, for all ballots to be
23 used in each election:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) for mailing to registered voters under Title 8 of this article, if mailing
2 of specimen ballots is chosen or required in the county; and

3 (2) for other informational purposes in accordance with the provisions of
4 this article.

5 **(B) EACH SPECIMEN BALLOT SHALL CONSPICUOUSLY DISPLAY THE**
6 **PROVISIONS OF § 9-307(C)(2) OF THIS TITLE.**

7 9-307.

8 (a) **IN THIS SUBSECTION, “CANDIDATE’S REPRESENTATIVE” MEANS AN**
9 **INDIVIDUAL AUTHORIZED BY, WORKING ON BEHALF OF, OR AFFILIATED WITH A**
10 **CANDIDATE, INCLUDING CAMPAIGN STAFF AND VOLUNTEERS.**

11 **(B)** A qualified applicant may designate a duly authorized agent to pick up and
12 deliver an absentee ballot under this subtitle.

13 **[(b)] (C)** An agent of the voter under this section:

14 (1) must be at least 18 years old;

15 (2) **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,** may
16 not be a candidate on that ballot **OR A CANDIDATE’S REPRESENTATIVE;**

17 (3) shall be designated in a writing signed by the voter under penalty of
18 perjury; and

19 (4) shall execute an affidavit under penalty of perjury that the ballot was:

20 (i) delivered to the voter who submitted the application;

21 (ii) marked and placed in an envelope by the voter, or with
22 assistance as allowed by regulation, in the agent’s presence; and

23 (iii) returned to the local board by the agent.

24 **(D) A FAMILY MEMBER OF A CANDIDATE ON A BALLOT MAY DESIGNATE THE**
25 **CANDIDATE OR THE CANDIDATE’S REPRESENTATIVE AS A DULY AUTHORIZED AGENT**
26 **TO PICK UP AND DELIVER THE FAMILY MEMBER’S ABSENTEE BALLOT.**

27 9-312.

28 Any person who is convicted of a violation of any of the provisions of this subtitle is
29 subject to a fine of not more than \$1,000 or imprisonment for not more than 2 years or both.

1 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2026,
2 the State Board of Elections shall adopt regulations to carry out this Act.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2025.