

SENATE BILL 259

G1

(PRE-FILED)

5lr0171
CF HB 274

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – State Board of Elections)**

Requested: September 19, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Local Boards of Elections – Election Plan Requirements**

3 FOR the purpose of requiring a local board of elections to submit an election plan to the
4 State Board of Elections for approval at least a certain number of months before each
5 statewide primary election; establishing requirements related to an election plan;
6 altering the requirements related to polling place plans, ballot drop box plans, and
7 early voting center plans; and generally relating to local boards of elections and
8 election plans.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 2–303.1, 2–304, and 10–301.1(d) through (h)
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2024 Supplement)

14 BY repealing
15 Article – Election Law
16 Section 10–301.1(c)
17 Annotated Code of Maryland
18 (2022 Replacement Volume and 2024 Supplement)

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

21 **Article – Election Law**

22 2–303.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) At least ~~[6]~~ 7 months before each statewide primary election, each local board
2 shall submit ~~[a polling place plan]~~ AN ELECTION PLAN to the State Board for approval.

3 (B) AN ELECTION PLAN SHALL INCLUDE:

4 (1) A POLLING PLACE PLAN THAT MEETS THE REQUIREMENTS OF
5 SUBSECTION (C) OF THIS SECTION;

6 (2) A BALLOT DROP BOX PLAN DEVELOPED IN ACCORDANCE WITH §
7 2-304 OF THIS SUBTITLE;

8 (3) AN EARLY VOTING CENTER PLAN THAT MEETS THE
9 REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION; AND

10 (4) AN ANALYSIS OF HOW TO MAXIMIZE VOTER PARTICIPATION IN THE
11 COUNTY AND EACH PRECINCT.

12 ~~[(b)]~~ (C) A polling place plan shall include:

13 (1) evidence that the plan complies with § 10-101(a)(2) of this article; AND

14 (2) ~~[an analysis of how to maximize voter participation in each precinct;~~
15 and

16 (3) ~~]~~ if the polling place plan proposes to reduce the total number of separate
17 buildings used as polling places below the total number of separate buildings used as
18 polling places in the ~~[2018]~~ FIRST STATEWIDE general election HELD AFTER THE MOST
19 RECENT REDISTRICTING BASED ON THE CENSUS:

20 (i) the address and a description of the location of each affected
21 polling place;

22 (ii) an analysis of available suitable buildings within the precinct
23 boundary, including the availability of parking and a determination regarding building
24 compliance with the federal Americans with Disabilities Act;

25 (iii) of the voters who cast ballots in each affected precinct in the
26 three most recent statewide elections:

27 1. the percentage who voted in person on election day;

28 2. the percentage who voted by mail;

29 3. the number who registered to vote on election day; and

1 4. the number who voted at an early voting center;

2 (iv) the proximity of the proposed polling place to a dense
3 concentration of voters in the affected precinct;

4 (v) the change in the number of registered voters in the affected
5 precinct from the last statewide election;

6 (vi) the public transportation options that voters in each affected
7 precinct could use to access the polling place that would serve the precinct under the plan;
8 and

9 (vii) an analysis of the impact on the ability of historically
10 disenfranchised communities to cast a ballot, including demographic information of the
11 voters in the affected precinct [from the most recent report published by the Maryland Vital
12 Statistics Administration].

13 **(D) AN EARLY VOTING CENTER PLAN SHALL TAKE INTO ACCOUNT THE**
14 **FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF AN EARLY VOTING**
15 **CENTER IN THE COUNTY:**

16 **(1) ACCESSIBILITY OF THE EARLY VOTING CENTER TO HISTORICALLY**
17 **DISENFRANCHISED COMMUNITIES, INCLUDING CULTURAL GROUPS, ETHNIC**
18 **GROUPS, AND MINORITY GROUPS;**

19 **(2) PROXIMITY OF THE EARLY VOTING CENTER TO DENSE**
20 **CONCENTRATIONS OF VOTERS;**

21 **(3) ACCESSIBILITY OF THE EARLY VOTING CENTER BY PUBLIC**
22 **TRANSPORTATION;**

23 **(4) FOR COUNTIES WITH FOUR OR MORE EARLY VOTING CENTERS,**
24 **ENSURING EQUITABLE DISTRIBUTION OF EARLY VOTING CENTERS THROUGHOUT**
25 **THE COUNTY; AND**

26 **(5) THE USE OF COMMUNITY CENTERS AND PUBLIC GATHERING**
27 **PLACES.**

28 **[(c)] (E) The State Board shall approve [a polling place plan] AN ELECTION**
29 **PLAN OF A LOCAL BOARD if the [polling place plan] ELECTION PLAN:**

30 (1) complies with the requirements of this section and § 10–101(a)(2) of this
31 article; [and]

32 **(2) HAS BEEN REVIEWED BY THE STATE ADMINISTRATOR; AND**

1 [(2)] (3) will not negatively affect access to voting for historically
2 disenfranchised communities.

3 [(d)] (F) [(1) The State Board shall reject a polling place plan that does not
4 meet the requirements of subsection (c) of this section.

5 (2) If the State Board [rejects a polling place plan] **DOES NOT APPROVE**
6 **AN ELECTION PLAN UNDER SUBSECTION (E) OF THIS SECTION**, the local board shall
7 submit a revised [polling place plan] **ELECTION PLAN** to the State Board within 15 days
8 after the date on which the State Board rejected the previous plan.

9 2–304.

10 (a) (1) **EACH LOCAL BOARD SHALL DEVELOP A BALLOT DROP BOX PLAN**
11 **THAT INCLUDES THE PROPOSED LOCATION OF EACH BALLOT DROP BOX IN THE**
12 **COUNTY.**

13 (2) A local board shall consider the following factors when determining the
14 location of a ballot drop box:

15 [(1)] (I) the accessibility of the ballot drop box to historically
16 disenfranchised communities, including voters with disabilities, cultural groups, ethnic
17 groups, and minority groups;

18 [(2)] (II) proximity of the ballot drop box to dense concentrations of voters;

19 [(3)] (III) accessibility of the ballot drop box by public transportation; **AND**

20 [(4)] (IV) equitable **GEOGRAPHIC** distribution of ballot drop boxes
21 throughout the county[; and

22 (5) maximizing voter participation, including through placement of ballot
23 drop boxes at community centers and public gathering places].

24 (b) Subject to subsection (c) of this section, a local board shall designate locations
25 in the county at which a ballot drop box will be placed in accordance with the factors set
26 forth in subsection (a) of this section.

27 (c) (1) Each local board shall submit the **BALLOT DROP BOX PLAN WITH THE**
28 proposed locations in the county for each ballot drop box to the State Administrator for
29 approval.

30 (2) The State Administrator shall approve a ballot drop box location that
31 meets the factors established under subsection (a) of this section.

1 (3) If a proposed ballot drop box [location] PLAN does not meet the factors
2 LISTED IN SUBSECTION (A) OF THIS SECTION, BEFORE THE LOCAL BOARD'S
3 ELECTION PLAN IS SUBMITTED TO THE STATE BOARD FOR APPROVAL UNDER §
4 2-303.1 OF THIS SUBTITLE, the State Administrator shall:

5 (i) require that the local board reconsider the proposed location for
6 one or more ballot drop boxes; and

7 (ii) provide to the local board a detailed explanation of why the
8 proposed location does not meet the factors.

9 (4) If the State Administrator finds that the proposed ballot drop box
10 locations submitted to the State Administrator after reconsideration by the local board
11 under paragraph (3) of this subsection do not meet the factors, the State Administrator may
12 add ballot drop box locations in the county.

13 10-301.1.

14 [(c) (1) No later than 6 months before a primary election, the local board in
15 each county shall, subject to the approval of the State Board, designate each early voting
16 center in that county.

17 (2) A local board shall take into account the following factors when
18 determining the location of an early voting center:

19 (i) accessibility of the early voting center to historically
20 disenfranchised communities, including cultural groups, ethnic groups, and minority
21 groups;

22 (ii) proximity of the early voting center to dense concentrations of
23 voters;

24 (iii) accessibility of the early voting center by public transportation;

25 (iv) ensuring equitable distribution of early voting centers
26 throughout the county; and

27 (v) maximizing voter participation, including through the use of
28 community centers and public gathering places as locations for early voting centers.]

29 [(d) (C) Each early voting center shall be open for voting as follows:

30 (1) beginning the second Thursday before a primary or general election
31 through the Thursday before the election; and

32 (2) during the hours between 7 a.m. and 8 p.m. each early voting day.

1 **[(g)] (F)** Except as expressly provided in this section, any provision of this article
2 that applies to voting on election day also applies to early voting.

3 **[(h)] (G)** The State Board shall adopt regulations and guidelines in accordance
4 with the requirements of this section for the conduct of early voting.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2025.