

SENATE BILL 383

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5lr0778
CF HB 215

By: **Senator Kagan**

Introduced and read first time: January 17, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – Ranked–Choice Voting in Contests for Presidential Nomination and**
3 **Certification of Election–Supporting Technology**

4 FOR the purpose of authorizing the State Board of Elections, beginning with a certain
5 statewide primary election, to use ranked–choice voting to conduct a contest for the
6 nomination by a political party of a candidate for the office of President of the United
7 States; requiring the State Board to develop and pay the cost of a certain voter
8 education campaign under certain circumstances; requiring the State Board to adopt
9 regulations for the review, certification, and decertification of election–supporting
10 technology and to periodically review and evaluate election–supporting technology;
11 and generally relating to ranked–choice voting and the certification of
12 election–supporting technology.

13 BY adding to

14 Article – Election Law

15 Section 8–206 and 9–107

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 **8–206.**

22 **(A) IN THIS SECTION, “RANKED–CHOICE VOTING” MEANS A METHOD OF**
23 **CASTING AND TABULATING VOTES IN WHICH VOTERS RANK CANDIDATES IN ORDER**
24 **OF PREFERENCE AND VOTES ARE TABULATED IN A MANNER THAT REFLECTS VOTER**
25 **PREFERENCE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
2 BEGINNING WITH THE 2028 STATEWIDE PRIMARY ELECTION, THE STATE BOARD
3 MAY USE RANKED-CHOICE VOTING TO CONDUCT A CONTEST FOR THE NOMINATION
4 BY A POLITICAL PARTY OF A CANDIDATE FOR THE OFFICE OF PRESIDENT OF THE
5 UNITED STATES.

6 (C) (1) IF THE STATE BOARD USES RANKED-CHOICE VOTING UNDER
7 SUBSECTION (B) OF THIS SECTION, THE STATE BOARD SHALL:

8 (I) DEVELOP AND PAY THE COST OF A VOTER EDUCATION
9 CAMPAIGN TO INFORM VOTERS ABOUT RANKED-CHOICE VOTING;

10 (II) SHARE THE VOTER EDUCATION CAMPAIGN DEVELOPED
11 UNDER ITEM (I) OF THIS PARAGRAPH WITH THE LOCAL BOARDS; AND

12 (III) ON OR BEFORE JANUARY 1, 2029, SUBMIT A REPORT TO THE
13 GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
14 ARTICLE, THE GENERAL ASSEMBLY THAT INCLUDES:

15 1. A REVIEW OF THE USE OF RANKED-CHOICE VOTING
16 DURING THE 2028 STATEWIDE PRIMARY ELECTION; AND

17 2. RECOMMENDATIONS REGARDING THE
18 IMPLEMENTATION AND EXPANSION OF RANKED-CHOICE VOTING IN FUTURE
19 ELECTIONS.

20 (2) THE REPORT UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION
21 SHALL BE:

22 (I) DISTRIBUTED TO THE LOCAL BOARDS; AND

23 (II) POSTED ON THE STATE BOARD'S WEBSITE.

24 9-107.

25 (A) (1) IN THIS SECTION, "ELECTION-SUPPORTING TECHNOLOGY"
26 MEANS ANY EQUIPMENT OR TECHNOLOGY THAT IS DESIGNED FOR USE IN THE
27 ADMINISTRATION OF ELECTIONS, INCLUDING:

28 (I) ELECTRONIC POLLBOOKS;

29 (II) RISK-LIMITING AUDIT TOOLS; AND

1 **(III) ANY SOFTWARE USED FOR PREPARING, PRESENTING, OR**
2 **REPORTING THE RESULTS PRODUCED BY A VOTING SYSTEM.**

3 **(2) “ELECTION-SUPPORTING TECHNOLOGY” DOES NOT INCLUDE A**
4 **VOTING SYSTEM.**

5 **(B) THE STATE BOARD SHALL:**

6 **(1) ADOPT REGULATIONS:**

7 **(I) FOR THE REVIEW, CERTIFICATION, AND DECERTIFICATION**
8 **OF ELECTION-SUPPORTING TECHNOLOGY; AND**

9 **(II) RELATING TO REQUIREMENTS FOR ELECTION-SUPPORTING**
10 **TECHNOLOGY SELECTED AND CERTIFIED UNDER THIS SECTION; AND**

11 **(2) PERIODICALLY REVIEW AND EVALUATE ELECTION-SUPPORTING**
12 **TECHNOLOGY.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2025.