G1, E5 5lr1690 CF HB 253

By: Senator Watson

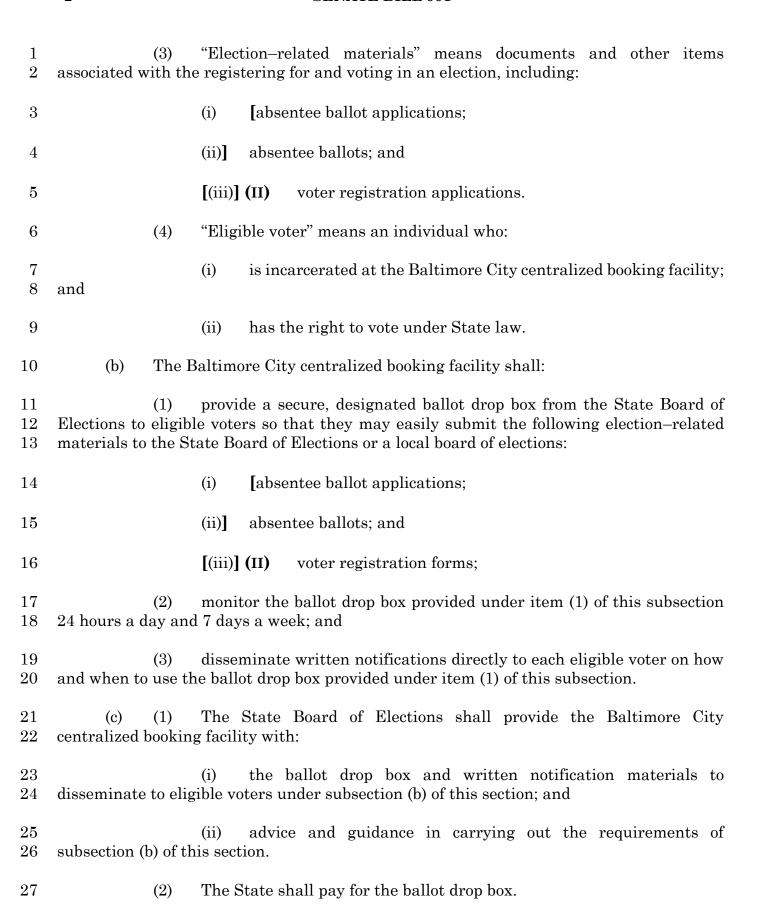
Introduced and read first time: January 30, 2025

Assigned to: Rules

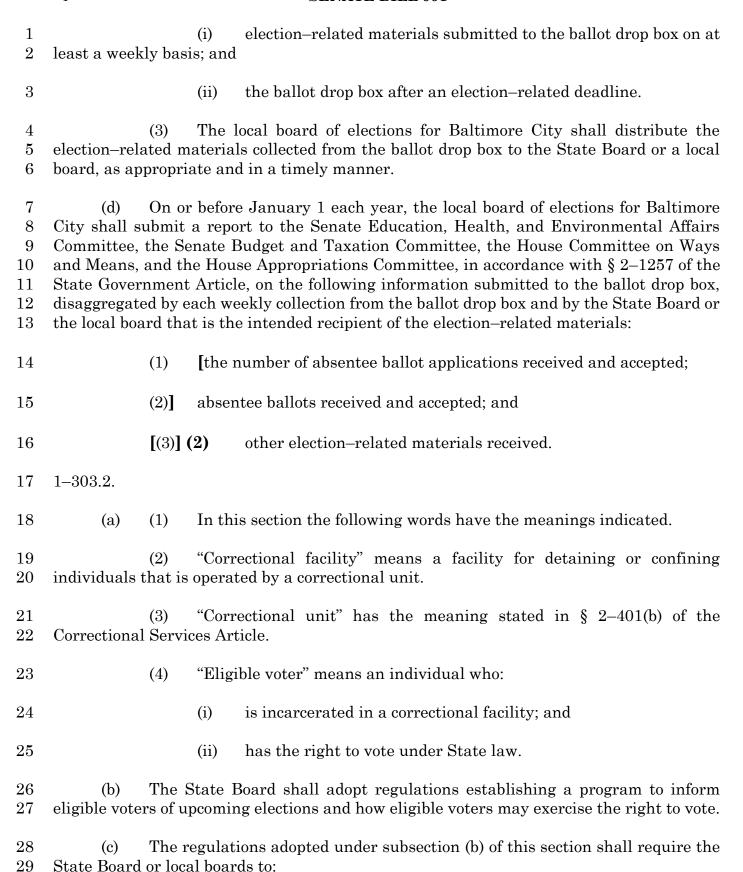
## A BILL ENTITLED

1	AN ACT concerning
2	Election Law - Pretrial Detainees - Absentee Ballots
3	FOR the purpose of requiring the State Board of Elections or the local boards of elections
4	to automatically send an absentee ballot to each registered voter in pretrial detention
5	in a correctional facility without the voter having to submit an absentee ballot
6	application; and generally relating to sending absentee ballots to pretrial detainees.
7	BY repealing and reenacting, with amendments,
8	Article – Correctional Services
9	Section 2–501
10	Annotated Code of Maryland
11	(2017 Replacement Volume and 2024 Supplement)
12	BY repealing and reenacting, with amendments,
13	Article – Election Law
14	Section 1–303.1 and 1–303.2
15	Annotated Code of Maryland
16	(2022 Replacement Volume and 2024 Supplement)
17	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18	That the Laws of Maryland read as follows:
19	Article - Correctional Services
20	2–501.
21	(a) (1) In this section the following words have the meanings indicated.
22	(2) "Baltimore City centralized booking facility" means the centralized
23	booking facility in Baltimore City that is operated by the Division of Pretrial Detention and
24	Services in the Department.





1 (d) The Baltimore City centralized booking facility shall cooperate fully with the 2 State Board of Elections in implementing the requirements of this section. 3 Article - Election Law 1 - 303.1.4 5 In this section the following words have the meanings indicated. (a) (1) 6 "Baltimore City centralized booking facility" means the centralized (2)7 booking facility in Baltimore City that is operated by the Division of Pretrial Detention and 8 Services in the Department of Public Safety and Correctional Services. 9 "Election-related materials" means documents and other items (3)associated with the registering for and voting in an election, including: 10 11 (i) [absentee ballot applications; 12(ii) absentee ballots; and 13 [(iii)] (II) voter registration applications. 14 **(4)** "Eligible voter" means an individual who: 15 (i) is incarcerated at the Baltimore City centralized booking facility; 16 and has the right to vote under State law. 17 (ii) 18 The State Board shall adopt regulations in collaboration with the Department 19 of Public Safety and Correctional Services to provide the following at the Baltimore City 20 centralized booking facility in accordance with § 2–501 of the Correctional Services Article: 21(1) a secure, designated ballot drop box for election-related materials; and 22 (2)written notifications on how and when eligible voters may use the ballot 23 drop box. 24The State Board shall provide the ballot drop box under subsection (b) (1) 25 of this section to the Baltimore City centralized booking facility in time to allow eligible 26voters sufficient opportunity to submit election-related materials 27 election-related deadlines. 28 (2)The local board of elections for Baltimore City shall provide staff to collect: 29



- 1 (1) disseminate information on eligibility requirements to register to vote 2 and voter registration applications to eligible voters at least 30 days before the deadline to 3 register to vote before each election;
- 4 (2) SUBJECT TO SUBSECTION (D) OF THIS SECTION, disseminate instructions on absentee voting, absentee ballot applications, and absentee ballots before each election in a timely manner;
- 7 (3) provide frequent opportunities for eligible voters to register to vote and 8 to vote; and
- 9 (4) SUBJECT TO SUBSECTION (D) OF THIS SECTION, provide for the timely return of voter registration applications, absentee ballot applications, and absentee ballots completed by eligible voters.
- 12 (d) THE STATE BOARD OR THE LOCAL BOARDS SHALL AUTOMATICALLY
  13 SEND AN ABSENTEE BALLOT TO EACH REGISTERED VOTER IN PRETRIAL DETENTION
  14 AT A CORRECTIONAL FACILITY:
- 15 (1) WITHOUT THE VOTER HAVING TO SUBMIT AN ABSENTEE BALLOT 16 APPLICATION; AND
- 17 (2) IN SUFFICIENT TIME BEFORE ELECTION DAY FOR THE VOTER TO 18 SUBMIT THE ABSENTEE BALLOT IN A TIMELY MANNER.
- 19 **(E)** Each correctional facility shall cooperate fully with the State Board and the 20 local boards in implementing the program required under this section.
- [(e)] (F) On or before January 15 each year, the State Board shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee, in accordance with § 2–1257 of the State Government Article, that includes the following information, disaggregated by correctional facility:
- 25 (1) the number of eligible voters who registered to vote, attempted to vote, and voted successfully by absentee ballot during the immediately preceding calendar year;
- 27 (2) the number of times the State Board or a local board of elections visited 28 each correctional facility during the immediately preceding calendar year, the duration of 29 each visit, and a description of the work done at each correctional facility;
- 30 (3) a description of any obstacles to implementing this section or § 2–501 31 of the Correctional Services Article; and
- 32 (4) any recommendations for improving the implementation of this section 33 or § 2–501 of the Correctional Services Article.

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

SENATE BILL 991