

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 201
Ways and Means

(Delegate Wilkins, *et al.*)

Rules

Election Law - Absentee Ballots - Notice to Request Application

This bill requires each local board of elections to include a written notice regarding how to request a State-approved absentee ballot application with a specimen ballot and any other mailing to voters or eligible voters to further awareness of the option of absentee voting. A local board of elections is not required to include the notice in a specimen ballot or other mailing (1) that is sent to a voter who has permanent absentee ballot status; (2) more than once per election; or (3) for a vote-by-mail election.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: The bill is not expected to materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law:

Absentee (Mail-in) Voting

An individual may vote by absentee (mail-in) ballot except to the extent preempted by federal law. An absentee ballot may be requested in writing (there are State and federal forms that can be used) or online through the State Board of Elections (SBE) website. The voter may choose to receive the ballot by mail, by fax, through the Internet, or by hand at a local board of elections office. The voter may return the ballot by (1) mailing it,

postmarked on or before Election Day; (2) depositing it into a ballot drop box before the polls close on Election Day; or (3) delivering it in person to an early voting center or to the local board of elections or an Election Day polling place by the close of polls on Election Day.

Chapters 56 and 514 of 2021 allow for a voter to request permanent absentee ballot status and be placed on a permanent absentee ballot list, in which case a local board of elections sends the voter an absentee ballot each time there is an election.

Chapters 56 and 514, in uncodified language, required each local board of elections to, at least 60 days before the statewide primary election in 2022 and 2024, send the State board-approved absentee ballot application to each eligible voter. A local board of elections was not required to send the State board-approved absentee ballot application to a voter who had permanent absentee ballot status.

Specimen Ballots

Local boards of elections are required to provide notice of each election in their county by either (1) specimen ballot mailed at least one week before the first day of any early voting period before the election or (2) publication or dissemination by mass communication during the calendar week preceding the election. A specimen ballot must be a facsimile of the ballot the voter is entitled to vote in the election. Prince George's County's board of elections is required by statute to provide notice by mailing specimen ballots (as opposed to publication or dissemination by mass communication), for a general election, and SBE regulations require all local election directors to mail specimen ballots by nonforwardable mail to all registered voters before every general election (other than a special election) as part of voter registration list maintenance efforts to determine if registered voters may have become ineligible by reason of a change of address to a jurisdiction outside Maryland.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 93 (Senator Kramer) - Education, Energy, and the Environment.

Information Source(s): Baltimore City; Calvert, Howard, and Prince George's counties; Maryland Association of Counties; Maryland State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - January 27, 2025
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