Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 67   (Delegate R. Long, *et al.*)

Ways and Means

Election Law - Absentee Ballots - Signature Requirements and Verification

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This bill prohibits a local board of elections from removing an absentee ballot from its envelope or counting the ballot unless the envelope is signed by the voter and a witness and the voter's signature is verified. The witness signature requirement does not apply to active duty uniformed services members serving overseas or their spouses or dependents who live overseas.

Fiscal Summary

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

Local Effect: Local government expenditures increase by at least $710,000 in FY 2026, $640,000 in FY 2027, $615,000 in FY 2028, $680,000 in FY 2029, and $610,000 in FY 2030 for signature verification. Additional administrative costs may be incurred annually, beginning in FY 2026, as discussed below. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The bill prohibits a local board of elections from removing an absentee ballot from the return envelope or ballot/return envelope or from counting the ballot unless:

- the return envelope or ballot/return envelope is signed by (1) the voter to whom the ballot was issued and (2) a witness other than the voter to whom the ballot was issued; and

- the voter's signature is verified by the local board by comparing the signature with the voter's registration record in accordance with regulations adopted by the State Board of Elections (SBE).

The witness signature requirement does not apply to an absentee ballot that is voted and returned by (1) an active duty member of the uniformed services who is serving overseas or (2) the spouse or dependent of an active duty member of the uniformed services who is serving overseas if the spouse or dependent lives overseas.

The bill requires that guidelines established by SBE for the administration of absentee voting by the local boards provide for verification of signatures on absentee ballot envelopes.

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 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.

Absentee Ballot Envelopes

An absentee ballot sent by mail must be enclosed in specially printed envelopes, the form and content of which must be prescribed by SBE. A local board of elections may use either two envelopes ("outgoing envelope" and "ballot/return envelope") or three envelopes ("outgoing envelope," "return envelope," and "ballot envelope"). The ballot/return envelope or the return envelope must include prepaid postage. When voted and returned to the local board, an absentee ballot must be enclosed in a ballot envelope or ballot/return envelope, which must include an oath prescribed by SBE.

If an absentee ballot is sent by the Internet or facsimile transmission, the local board must provide the voter with an envelope template.

Canvassing of Absentee Ballots

A local board of elections may not reject an absentee ballot except by unanimous vote and in accordance with SBE regulations. A local board must reject an absentee ballot if the voter failed to sign the oath on the ballot envelope or ballot/return envelope and failed to correct the omission before 10 a.m. on the tenth day after Election Day. An election director must make specified efforts to notify a voter who did not sign the oath and explain how the voter can provide the signed oath and when the signed oath must be received for the voter's ballot to be accepted.

State Board of Elections Guidelines

SBE must establish guidelines for the administration of absentee voting by the local boards of elections. The guidelines must provide for (1) the application process; (2) late application for absentee ballots; (3) ballot security, including storage of returned ballots; (4) determining timeliness of receipt of applications and ballots, including applications and ballots for overseas voters; (5) the canvass process; (6) notice of the canvass to candidates, political parties, campaign organizations, news media, and the general public; (7) observers of the process; (8) review of the voted ballots and envelopes for compliance with the law and for machine tabulation acceptability; (9) standards for disallowance of ballots during the canvass; (10) storage and retention of ballots following canvass and certification; and (11) the permanent absentee ballot list.

Local Fiscal Effect: Local government expenditures increase by at least $710,000 in fiscal 2026, accounting for (1) personnel and training costs ($110,000) associated with conducting signature verification; (2) costs to lease mail sorting technology with signature verification features under a five-year lease to own program ($285,000) for certain jurisdictions that do not already have mail sorting technology but have a relatively large volume of mail-in ballots; (3) automated signature verification software ($120,000) for five jurisdictions with the largest volume of mail-in ballots, to increase signature verification efficiency; and (4) development costs to make modifications to the statewide voter registration system to facilitate signature verification ($195,000). This estimate:

- assumes that costs of mail sorting technology are similar to costs incurred in the recent past by a small number of counties to lease mail sorting machines to assist with processing of mail-in ballots;
- assumes that counties with a relatively smaller volume of mail-in ballots use a manual process to verify a voter's signature;
- assumes future mail-in ballot turnout for each county is comparable to recent elections; and

- is based on assumptions about necessary personnel, training, and technology costs, informed by communication with SBE and a small number of counties, as well as past communication with the State of Colorado and a jurisdiction in Oregon that conducts signature verification.

Local government expenditures increase by at least $640,000 in fiscal 2027, $615,000 in fiscal 2028, $680,000 in fiscal 2029, and $610,000 in fiscal 2030, consisting of ongoing personnel and training costs, ongoing lease and maintenance costs for the mail sorting technology, and ongoing costs for the automated signature verification software.

Additional costs associated with signature verification, that have not been quantified, may be incurred for information technology personnel costs in counties that lease the mail sorting technology, and any additional personnel or other costs to communicate with mail-in voters whose signatures cannot initially be verified or whose ballot does not have a witness signature.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 202 of 2024, HB 22 of 2023, and HB 99 of 2022.

Designated Cross File: None.

Information Source(s): Baltimore City; Allegany, Harford, and Wicomico counties; Maryland Association of Counties; Maryland State Board of Elections; Colorado Secretary of State, Elections Division; Multnomah County, OR; Department of Legislative Services

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