

HB2100/563421/1

BY: Delegate Griffith

AMENDMENTS TO HOUSE BILL 2100
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute:

**“Election Law – Legislative and Congressional Districts and Absentee Ballot
Signature Requirements”;**

in line 6, strike “and”; in line 8, after “plan” insert “; prohibiting a local board of elections from removing an absentee ballot from a return envelope or ballot/return envelope or counting the ballot unless the return envelope or ballot/return envelope is signed by the voter and, except under certain circumstances, a witness and the local board verify the voter’s signature; and generally relating to elections in the State”; and after line 14, insert:

“BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–303 and 9–310(a)(5) and (c)
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

BY adding to
Article – Election Law
Section 9–310.2
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
read as follows:

Article – Election Law

9–303.

(a) The State Board shall establish guidelines for the administration of absentee voting by the local boards.

(b) The guidelines shall 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 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; AND
 - (12) VERIFICATION OF SIGNATURES ON ABSENTEE BALLOT ENVELOPES.

(c) The State Board shall:

(1) in consultation with the local boards, assess the guidelines before each primary election; and

(2) revise the guidelines if indicated.

9-310.

(a) (5) When voted and returned to the local board, an absentee ballot shall be enclosed in a ballot envelope or ballot/return envelope, on which [has] HAVE been printed [an oath] OATHS prescribed by the State Board.

(c) If an absentee ballot is sent by the Internet or facsimile transmission, the local board shall provide the voter with an envelope template, the [oath] OATHS prescribed by the State Board, and instructions for marking and returning the absentee ballot.

9-310.2.

(A) IN THIS SECTION, "UNIFORMED SERVICES" HAS THE MEANING STATED IN 10 U.S.C. § 101.

(B) A LOCAL BOARD MAY NOT REMOVE AN ABSENTEE BALLOT FROM THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE OR COUNT THE BALLOT UNLESS:

(1) THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE IS SIGNED BY:

(I) THE VOTER TO WHOM THE BALLOT WAS ISSUED; AND

(II) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A WITNESS OTHER THAN THE VOTER TO WHOM THE BALLOT WAS ISSUED; AND

(Over)

(2) THE VOTER'S SIGNATURE IS VERIFIED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION.

(C) THE WITNESS SIGNATURE REQUIREMENT UNDER SUBSECTION (B)(1)(II) OF THIS SECTION 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.

(D) EACH LOCAL BOARD SHALL VERIFY THE SIGNATURE OF THE VOTER ON THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE BY COMPARING THE SIGNATURE WITH THE VOTER'S REGISTRATION RECORD IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE BOARD.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before the date that is 1 year after the date on which Section 2 of this Act becomes effective, each local board of elections shall obtain technology capable of verifying the signature of a voter on the return envelope or ballot/return envelope under § 9-310.2 of the Election Law Article as enacted by Section 1 of this Act.”;

and in lines 26 and 30, strike “2.” and “3.”, respectively, and substitute “4.” and “5.”, respectively.

On page 3, after line 18, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, subject to Section 5 of this Act, this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.