

HOUSE BILL 219

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EMERGENCY BILL
(PRE-FILED)

6lr1575

By: **Delegate Smith**

Requested: October 31, 2025

Introduced and read first time: January 14, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Voting Rights Act of 2026 – Voter Intimidation and Suppression**

3 FOR the purpose of altering public notice requirements of the State Board of Elections,
4 local boards of elections, and certain municipal corporations with respect to changes
5 in administrative policy affecting voting rights; prohibiting acts of intimidation,
6 deception, or obstruction that interfere with the right to vote; prohibiting local
7 governments from taking any action related to the election process that results in a
8 disparity between members of a protected class and other members of the electorate;
9 authorizing certain persons to file an action to enforce this Act; requiring a court to
10 order certain remedies for a violation of this Act; establishing certain notice
11 requirements for local governments before implementing certain changes relating to
12 the election process and for certain parties before filing a certain action; authorizing
13 the Attorney General to approve proposed local government remedies to address
14 certain violations under certain circumstances; and generally relating to voting
15 rights.

16 BY repealing and reenacting, without amendments,

17 Article – Election Law

18 Section 1–101(a)

19 Annotated Code of Maryland

20 (2022 Replacement Volume and 2025 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Election Law

23 Section 1–101(b–3) and 1–305

24 Annotated Code of Maryland

25 (2022 Replacement Volume and 2025 Supplement)

26 BY adding to

27 Article – Election Law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 15.3-101 through 15.3-501 to be under the new title "Title 15.3. Voting Rights Act – Voter Intimidation and Suppression"
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
the Laws of Maryland read as follows:

Article – Election Law

8 1-101.

9 (a) In this article the following words have the meanings indicated unless a
10 different meaning is clearly intended from the context.

11 (b-3) "Administrative policy affecting voting rights" means any action relating to
12 voter registration, provisional voting, absentee voting, [or] the location of a polling place or
13 early voting center, **OR ASSISTANCE AVAILABLE TO VOTERS, INCLUDING:**

(1) LANGUAGE ASSISTANCE;

(2) ASSISTANCE FOR VOTERS WITH DISABILITIES; AND

(3) OTHER ASSISTANCE AS MAY BE REQUIRED BY A VOTER.

17 1-305.

(a) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE Board [or], a local board, OR A MUNICIPAL CORPORATION THAT ADMINISTERS ELECTIONS may not consider a change in an administrative policy affecting voting rights at a meeting unless the board [has posted a prominent] OR MUNICIPAL CORPORATION PROVIDES REASONABLE public notice [on its website at least 48 hours in advance of the meeting stating that the board will consider an administrative policy affecting voting rights at the meeting] OF THE CHANGE UNDER CONSIDERATION AT LEAST 15 DAYS BEFORE THE DATE OF THE MEETING.

(b) If the State Board [or], a local board, **OR A MUNICIPAL CORPORATION THAT**

1 ADMINISTERS ITS OWN ELECTIONS adopts a change in an administrative policy affecting
2 voting rights, the State Board and, if applicable, the local board **OR THE MUNICIPAL**
3 **CORPORATION** that adopted the change shall provide reasonable public notice of the
4 change as provided in subsection (c) of this section **WITHIN 48 HOURS AFTER THE**
5 **ADOPTION OF THE CHANGE.**

6 (c) The public notice **OF A CHANGE OR CONSIDERATION OF A CHANGE IN AN**
7 **ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS UNDER THIS SECTION** shall:

8 (1) be in a reasonably convenient and accessible format;

9 (2) be prominently posted on the website of the:

10 (i) State Board; and

11 (ii) **IF APPLICABLE**, local board **OR MUNICIPAL CORPORATION**
12 that adopted **OR CONSIDERED** the change[, if applicable]; AND

13 (3) include a concise description of the change, including the difference
14 between the **[new] CHANGE IN** administrative policy affecting voting rights and the
15 administrative policy affecting voting rights that was previously in effect[; and

16 (4) be provided within 48 hours of the adoption of the change] **WITHOUT**
17 **THE CHANGE.**

18 (D) (1) **THE STATE BOARD SHALL MAINTAIN A PAGE ON ITS WEBSITE**
19 **THAT CONTAINS ANY NOTICE REQUIRED UNDER THIS SECTION.**

20 (2) (i) **IMMEDIATELY AFTER PROVIDING NOTICE UNDER THIS**
21 **SECTION, A LOCAL BOARD OR MUNICIPAL CORPORATION SHALL PROVIDE A COPY OF**
22 **THE NOTICE TO THE STATE BOARD FOR INCLUSION ON THE STATE BOARD'S**
23 **WEBSITE UNDER THIS SUBSECTION.**

24 (ii) **THE STATE BOARD SHALL PUBLISH A NOTICE RECEIVED**
25 **UNDER THIS PARAGRAPH AS SOON AS PRACTICABLE, BUT NOT LATER THAN 5 DAYS**
26 **AFTER THE DATE ON WHICH THE NOTICE IS RECEIVED.**

27 **TITLE 15.3. VOTING RIGHTS ACT – VOTER INTIMIDATION AND SUPPRESSION.**

28 **SUBTITLE 1. DEFINITIONS AND GENERAL PROVISIONS.**

29 **15.3-101.**

30 (A) **IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS**

1 INDICATED UNLESS A DIFFERENT MEANING IS CLEARLY INTENDED FROM THE
2 CONTEXT.

3 (B) "ATTORNEY GENERAL" MEANS THE ATTORNEY GENERAL AND THE
4 OFFICE OF THE ATTORNEY GENERAL.

5 (C) "COURT" MEANS THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY.

6 (D) "DISPARITY" MEANS VARIANCE THAT IS SUPPORTED BY VALIDATED
7 METHODOLOGIES AND, WHERE RELEVANT, IS STATISTICALLY SIGNIFICANT.

8 (E) "ELECTION POLICY OR PRACTICE" MEANS:

9 (1) A VOTING QUALIFICATION OR PREREQUISITE TO VOTING; OR

10 (2) A LAW, AN ORDINANCE, A RESOLUTION, A CHARTER OR CODE
11 PROVISION, A REGULATION, A RULE, A POLICY, A PRACTICE, A PROCEDURE, A
12 STANDARD, OR AN ACTION WITH RESPECT TO VOTING OR THE ADMINISTRATION OF
13 ELECTIONS.

14 (F) "GOVERNING BODY" MEANS:

15 (1) FOR BALTIMORE CITY, THE CITY COUNCIL OF BALTIMORE CITY;

16 (2) FOR A CHARTER COUNTY, THE COUNTY COUNCIL;

17 (3) FOR A CODE HOME RULE COUNTY, THE COUNTY COMMISSIONERS;

18 (4) FOR A COMMISSION COUNTY, THE COUNTY COMMISSIONERS;

19 (5) FOR A MUNICIPALITY, THE REPRESENTATIVE BODY PROVIDED
20 UNDER THE MUNICIPAL CHARTER; AND

21 (6) FOR A COUNTY BOARD OF EDUCATION, THE ELECTED VOTING
22 MEMBERS OF THE COUNTY BOARD OF EDUCATION.

23 (G) "LOCAL GOVERNMENT" MEANS:

24 (1) A MUNICIPALITY OR COUNTY, AS THOSE TERMS ARE DEFINED IN §
25 1-101 OF THE LOCAL GOVERNMENT ARTICLE; OR

26 (2) A COUNTY BOARD OF EDUCATION, AS DEFINED IN § 1-101 OF THE
27 EDUCATION ARTICLE.

1 (H) "PROTECTED CLASS" MEANS A CLASS OF CITIZENS WHO ARE MEMBERS
2 OF A RACE, COLOR, OR LANGUAGE MINORITY GROUP, INCLUDING A CLASS
3 COMPOSED OF MEMBERS OF TWO OR MORE MINORITY GROUPS.

4 (I) "VOTE" INCLUDES ANY ACTION NECESSARY TO CAST A BALLOT AND
5 MAKE THAT BALLOT COUNT IN AN ELECTION, INCLUDING:

6 (1) REGISTERING TO VOTE;

7 (2) REQUESTING A MAIL-IN BALLOT; AND

8 (3) ANY OTHER ACTION REQUIRED BY LAW AS A PREREQUISITE TO
9 CASTING A BALLOT AND HAVING THAT BALLOT COUNTED, CANVASSED, CERTIFIED,
10 AND INCLUDED IN THE APPROPRIATE TOTALS OF VOTES CAST IN AN ELECTION.

11 **15.3-102.**

12 STATUTES, RULES AND REGULATIONS, AND LOCAL LAWS, TOWN CHARTERS,
13 OR ORDINANCES RELATED TO THE RIGHT TO VOTE SHALL BE CONSTRUED
14 LIBERALLY IN FAVOR OF:

15 (1) PROTECTING THE RIGHT TO CAST A BALLOT;

16 (2) ENSURING THAT ELIGIBLE VOTERS ARE NOT IMPAIRED IN
17 REGISTERING TO VOTE OR VOTING, INCLUDING HAVING THEIR VOTES COUNTED;
18 AND

19 (3) ENSURING THAT PROTECTED CLASS VOTERS HAVE EQUITABLE
20 ACCESS TO OPPORTUNITIES TO REGISTER TO VOTE AND TO VOTE.

21 **15.3-103.**

22 TO THE EXTENT THAT THE COURT IS AFFORDED DISCRETION IN ANY
23 QUESTION, INCLUDING QUESTIONS RELATED TO DISCOVERY, PROCEDURE,
24 ADMISSIBILITY OF EVIDENCE, AND REMEDIES, THE COURT SHALL EXERCISE THE
25 DISCRETION IN FAVOR OF:

26 (1) PROTECTING THE RIGHT TO CAST A BALLOT;

27 (2) ENSURING THAT ELIGIBLE VOTERS ARE NOT IMPAIRED IN
28 REGISTERING TO VOTE OR VOTING, INCLUDING HAVING VOTES OF ELIGIBLE VOTERS
29 COUNTED; AND

3 15.3-104.

4 IF ANY PROVISION OF THIS TITLE OR ITS APPLICATION TO ANY PERSON OR
5 CIRCUMSTANCE IS HELD TO BE INVALID BY A COURT OF COMPETENT JURISDICTION,
6 THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS
7 TITLE THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR
8 APPLICATION AND, TO THIS END, THE PROVISIONS OF THIS TITLE ARE SEVERABLE.

SUBTITLE 2. PROHIBITION ON VOTER INTIMIDATION.

10 15.3-201.

11 A PERSON, WHETHER ACTING UNDER COLOR OF LAW OR OTHERWISE, MAY NOT
12 ENGAGE IN ACTS OF INTIMIDATION, DECEPTION, OR OBSTRUCTION THAT
13 INTERFERE WITH AN INDIVIDUAL'S RIGHT TO VOTE.

14 15.3-202.

15 THE FOLLOWING SHALL CONSTITUTE A VIOLATION OF § 15.3-201 OF THIS
16 SUBTITLE:

17 (1) THE USE OF FORCE OR THREATS TO USE FORCE, OR THE USE OF
18 ANY OTHER CONDUCT TO PRACTICE INTIMIDATION THAT CAUSES OR WILL
19 REASONABLY HAVE THE EFFECT OF CAUSING INTERFERENCE WITH AN
20 INDIVIDUAL'S RIGHT TO VOTE;

24 (3) THE OBSTRUCTION OF, IMPEDIMENT TO, OR OTHER
25 INTERFERENCE WITH:

26 (I) ACCESS TO A POLLING PLACE, A BALLOT DROP BOX, OR AN
27 OFFICE OR A PLACE OF BUSINESS OF AN ELECTION OFFICIAL; OR

28 (II) A VOTER IN A MANNER THAT CAUSES OR WILL REASONABLY
29 HAVE THE EFFECT OF CAUSING ANY DELAY IN VOTING OR THE VOTING PROCESS.

1 15.3-203.

2 A PERSON WHO VIOLATES THIS SUBTITLE OR WHO AIDS IN THE VIOLATION OF
3 THIS SUBTITLE SHALL BE LIABLE FOR ANY DAMAGES AWARDED BY THE COURT,
4 INCLUDING NOMINAL DAMAGES FOR ANY VIOLATION AND COMPENSATORY OR
5 PUNITIVE DAMAGES FOR ANY WILLFUL VIOLATION.

6 SUBTITLE 3. PROHIBITION ON VOTER SUPPRESSION.

7 15.3-301.

8 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A LOCAL GOVERNMENT
9 OR GOVERNMENTAL ENTITY RESPONSIBLE FOR ELECTION ADMINISTRATION MAY
10 NOT IMPLEMENT, IMPOSE, OR ENFORCE AN ELECTION POLICY OR PRACTICE, OR
11 TAKE ANY OTHER ACTION OR FAIL TO TAKE ANY ACTION, THAT RESULTS IN, IS
12 LIKELY TO RESULT IN, OR IS INTENDED TO RESULT IN A MATERIAL DISPARITY IN
13 VOTER PARTICIPATION, ACCESS TO VOTING OPPORTUNITIES, OR THE OPPORTUNITY
14 OR ABILITY TO PARTICIPATE IN THE POLITICAL PROCESS BETWEEN MEMBERS OF A
15 PROTECTED CLASS AND OTHER MEMBERS OF THE ELECTORATE.

16 (B) A LOCAL GOVERNMENT OR GOVERNMENTAL ENTITY RESPONSIBLE FOR
17 ELECTION ADMINISTRATION MAY NOT BE DETERMINED TO HAVE VIOLATED
18 SUBSECTION (A) OF THIS SECTION IF THE LOCAL GOVERNMENT OR GOVERNMENTAL
19 ENTITY DEMONSTRATES BY CLEAR AND CONVINCING EVIDENCE THAT:

20 (1) THE ELECTION POLICY OR PRACTICE IS NECESSARY TO
21 SIGNIFICANTLY FURTHER A COMPELLING INTEREST; AND

22 (2) THERE IS NO ALTERNATIVE THAT RESULTS IN A SMALLER
23 DISPARITY BETWEEN MEMBERS OF A PROTECTED CLASS AND OTHER MEMBERS OF
24 THE ELECTORATE.

25 (C) IN DETERMINING WHETHER A VIOLATION OF THIS SUBTITLE HAS
26 OCCURRED WITH RESPECT TO A PROTECTED CLASS, THE COURT SHALL, SUBJECT
27 TO SUBSECTION (D) OF THIS SECTION, CONSIDER WHETHER PROTECTED CLASS
28 MEMBERS ARE VULNERABLE TO OR OTHERWISE AT RISK OF VOTING
29 DISCRIMINATION, INCLUDING BY EVALUATING:

30 (1) THE HISTORY AND EFFECTS OF DISCRIMINATION AGAINST
31 PROTECTED CLASS MEMBERS; AND

32 (2) THE EXTENT TO WHICH PROTECTED CLASS MEMBERS ENCOUNTER
33 BARRIERS, DISPARITIES, OR HOSTILITY WITH RESPECT TO POLITICAL

1 PARTICIPATION AND CIVIC LIFE.

2 (D) (1) IN DETERMINING WHETHER A VIOLATION OF THIS SUBTITLE HAS
3 OCCURRED, THE COURT MAY NOT CONSIDER:4 (I) THE NUMBER OF PROTECTED CLASS MEMBERS
5 UNAFFECTED BY THE ELECTION POLICY OR PRACTICE;6 (II) THE DEGREE TO WHICH THE ELECTION POLICY OR
7 PRACTICE HAS A LONG PEDIGREE OR WAS IN WIDESPREAD USE AT SOME EARLIER
8 DATE;9 (III) THE USE OF AN IDENTICAL OR SIMILAR ELECTION POLICY
10 OR PRACTICE IN OTHER STATES OR JURISDICTIONS;11 (IV) THE AVAILABILITY OF OTHER FORMS OF VOTING
12 UNIMPACTED BY THE ELECTION POLICY OR PRACTICE, UNLESS THE JURISDICTION
13 IS SIMULTANEOUSLY EXPANDING THE OTHER PRACTICES TO ELIMINATE ANY
14 DISPROPORTIONATE BURDEN IMPOSED BY THE ELECTION POLICY OR PRACTICE; OR15 (V) UNSUBSTANTIATED DEFENSES THAT THE ELECTION POLICY
16 OR PRACTICE IS NECESSARY TO ADDRESS CRIMINAL ACTIVITY.17 (2) EVIDENCE CONCERNING THE INTENT OF VOTERS, ELECTED
18 OFFICIALS, OR PUBLIC OFFICIALS TO DISCRIMINATE AGAINST MEMBERS OF A
19 PROTECTED CLASS IS NOT NECESSARY FOR THE COURT TO FIND A VIOLATION OF
20 THIS SUBTITLE.

21 15.3-302.

22 (A) THE FOLLOWING PERSONS MAY FILE AN ACTION UNDER THIS SUBTITLE
23 IN THE COURT:

24 (1) AN AGGRIEVED PERSON;

25 (2) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS LIKELY
26 TO INCLUDE AGGRIEVED PERSONS;27 (3) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED BY A
28 VIOLATION OF THIS SUBTITLE;29 (4) AN ORGANIZATION THAT WOULD EXPEND RESOURCES IN ORDER
30 TO FULFILL ITS MISSION AS A RESULT OF A VIOLATION OF THIS SUBTITLE; OR

(5) THE ATTORNEY GENERAL.

11 (III) ADDITIONAL VOTING HOURS OR DAYS;

12 (IV) ADDITIONAL POLLING LOCATIONS;

13 (v) ADDITIONAL MEANS OF VOTING, SUCH AS VOTING BY MAIL
14 OR ADDITIONAL OPPORTUNITIES TO RETURN BALLOTS;

15 (VI) ORDERING OF SPECIAL ELECTIONS;

16 (VII) REQUIRING EXPANDED OPPORTUNITIES FOR THE
17 ADMISSION OF VOTERS;

(VIII) REQUIRING ADDITIONAL VOTER EDUCATION;

21 (X) PREVENTING THE REORGANIZATION, ANNEXATION,
22 INCORPORATION, DISSOLUTION, CONSOLIDATION, OR DIVISION OF A LOCAL
23 GOVERNMENT; OR

24 (xi) RETAINING JURISDICTION FOR A PERIOD OF TIME
25 DETERMINED APPROPRIATE BY THE COURT.

7 15.3-303.

8 (A) (1) A LOCAL GOVERNMENT SHALL PROVIDE NOTICE AS DESCRIBED IN
9 THIS SECTION AT LEAST 15 DAYS BEFORE A HEARING TO ADOPT ANY OF THE
10 FOLLOWING CHANGES:

11 (I) A CHANGE TO THE METHOD OF ELECTION FOR A LOCAL
12 GOVERNMENT;

16 (III) A CHANGE TO DISTRICT BOUNDARIES WITHIN A LOCAL
17 GOVERNMENT; AND

18 (IV) A CHARTER AMENDMENT AUTHORIZING AN
19 ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS.

31 (II) TAKING APPROPRIATE STEPS TO PROVIDE MEANINGFUL
32 NOTICE OF THE PROPOSED CHANGE TO RESIDENTS WITH DISABILITIES AND

1 RESIDENTS WITH LIMITED ENGLISH PROFICIENCY; AND

2 (III) SUBMITTING THE TEXT OF THE PROPOSED CHANGE TO THE
3 STATE BOARD.

4 (4) THE STATE BOARD SHALL PUBLISH THE NOTICES SUBMITTED TO
5 THE STATE BOARD UNDER PARAGRAPH (3)(III) OF THIS SUBSECTION IN THE SAME
6 MANNER AS THOSE REQUIRED UNDER § 1-305 OF THIS ARTICLE.

7 (B) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, BEFORE
8 FILING AN ACTION AGAINST A LOCAL GOVERNMENT UNDER THIS SUBTITLE, A PARTY
9 DESCRIBED IN § 15.3-302(A) OF THIS SUBTITLE SHALL SEND BY CERTIFIED MAIL,
10 RETURN RECEIPT REQUESTED, A NOTIFICATION LETTER TO THE LOCAL
11 GOVERNMENT:

12 (I) ASSERTING THAT THE LOCAL GOVERNMENT MAY BE IN
13 VIOLATION OF THE PROVISIONS OF THIS SUBTITLE;

14 (II) IDENTIFYING THE POTENTIAL VIOLATIONS;

15 (III) IDENTIFYING THE AFFECTED PROTECTED CLASS; AND

16 (IV) IDENTIFYING THE TYPE OF REMEDY THAT THE PARTY
17 BELIEVES WILL ADDRESS THE ALLEGED VIOLATIONS.

18 (2) THE PARTY MAY NOT FILE AN ACTION UNDER THIS SUBTITLE
19 UNTIL 60 DAYS AFTER SENDING A NOTIFICATION LETTER TO THE LOCAL
20 GOVERNMENT OR ON RECEIPT OF A WRITTEN DENIAL BY THE LOCAL GOVERNMENT,
21 WHICHEVER IS EARLIER.

22 (3) A NOTIFICATION LETTER IS NOT REQUIRED IF:

23 (I) THE PARTY IS SEEKING PRELIMINARY RELIEF WITH
24 RESPECT TO AN UPCOMING ELECTION IN ACCORDANCE WITH § 15.3-402(B) OF THIS
25 TITLE;

26 (II) THE PARTY IS SEEKING TO INTERVENE IN OR JOIN AN
27 EXISTING ACTION;

28 (III) ANOTHER PARTY HAS ALREADY SUBMITTED A
29 NOTIFICATION LETTER ALLEGING A SUBSTANTIALLY SIMILAR VIOLATION AND THAT
30 PARTY IS ELIGIBLE TO FILE AN ACTION UNDER THIS SUBTITLE;

1 (IV) THE LOCAL GOVERNMENT HAS ENACTED A CHANGE
2 IDENTIFIED IN SUBSECTION (A)(1) OF THIS SECTION WITHOUT THE REQUIRED
3 NOTICE AND THE PARTY SEEKS RELIEF FROM THAT CHANGE;

4 (V) FOLLOWING THE PARTY'S SUBMISSION OF A NOTIFICATION
5 LETTER, THE LOCAL GOVERNMENT HAS ENACTED A CHANGE IDENTIFIED IN
6 SUBSECTION (A)(1) OF THIS SECTION THAT WOULD NOT REMEDY THE POTENTIAL
7 VIOLATION IDENTIFIED IN THE PARTY'S NOTIFICATION LETTER; OR

8 (vi) THE PROSPECT OF OBTAINING RELIEF WOULD BE FUTILE.

16 (III) IF THE LOCAL GOVERNMENT ADOPTS A RESOLUTION
17 WITHIN 60 DAYS AFTER RECEIVING THE NOTIFICATION LETTER IDENTIFYING A
18 REMEDY, AFFIRMING ITS INTENT TO ENACT AND IMPLEMENT A REMEDY, AND
19 ESTABLISHING A TIMELINE AND SPECIFIC STEPS IT WILL TAKE TO DO SO:

12 (III) APPROVAL OF A REMEDY BY THE ATTORNEY GENERAL IS
13 NOT A BAR TO AN ACTION TO CHALLENGE THE REMEDY.

14 (c) THE ATTORNEY GENERAL SHALL ADOPT REGULATIONS TO CARRY OUT
15 THIS SUBTITLE, INCLUDING REGULATIONS TO:

(1) SPECIFY PROCEDURES AND ADMINISTRATIVE DEADLINES; AND

20 15.3-304.

21 IF A LOCAL GOVERNMENT ENACTS OR IMPLEMENTS A REMEDY, THE PARTY
22 THAT SENT A NOTIFICATION LETTER UNDER § 15.3–303(B) OF THIS SUBTITLE SHALL
23 BE ENTITLED TO REIMBURSEMENT BY THE LOCAL GOVERNMENT FOR REASONABLE
24 COSTS ASSOCIATED WITH PRODUCING AND SENDING THE NOTIFICATION LETTER
25 AND ANY ACCOMPANYING EVIDENCE.

26 **SUBTITLE 4. JURISDICTION AND PROCEEDINGS.**

27 15.3-401.

28 IN AN ACTION OR INVESTIGATION TO ENFORCE THIS TITLE, THE ATTORNEY
29 GENERAL MAY:

- (1) ADMINISTER OATHS;
- (2) EXAMINE WITNESSES UNDER OATH;
- (3) RECEIVE ORAL AND DOCUMENTARY EVIDENCE;
- (4) DETERMINE MATERIAL FACTS; AND
- (5) IN ACCORDANCE WITH THE ORDINARY RULES OF CIVIL
E:
 - (I) ISSUE SUBPOENAS; AND
 - (II) OTHERWISE COMPEL THE PRODUCTION OF RECORDS,
PERS. CONTRACTS, AND OTHER DOCUMENTS.

10 15.3-402.

SUBTITLE 5. COSTS AND FEES.

22 15.3-501.

23 (A) EXCEPT AS PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION, IN AN
24 ACTION TO ENFORCE THIS TITLE, THE COURT SHALL AWARD REASONABLE
25 ATTORNEY'S FEES AND LITIGATION COSTS, INCLUDING EXPERT WITNESS FEES AND
26 EXPENSES, TO THE PARTY THAT PREVAILED IN THE ACTION.

27 (B) (1) IF THE STATE OR LOCAL GOVERNMENT IS AN OPPOSING PARTY, A

1 PARTY WILL BE DEEMED TO HAVE PREVAILED IN AN ACTION WHEN, AS A RESULT OF
2 THE ACTION, THE STATE OR LOCAL GOVERNMENT YIELDS SOME OR ALL OF THE
3 RELIEF SOUGHT IN THE ACTION.

4 (2) IF THE STATE OR LOCAL GOVERNMENT PREVAILS IN AN ACTION
5 UNDER THIS TITLE, THE COURT MAY NOT AWARD THE STATE OR LOCAL
6 GOVERNMENT ANY COSTS UNLESS THE COURT FINDS THE ACTION TO BE
7 FRIVOLOUS.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
9 measure, is necessary for the immediate preservation of the public health or safety, has
10 been passed by a yea and nay vote supported by three-fifths of all the members elected to
11 each of the two Houses of the General Assembly, and shall take effect from the date it is
12 enacted.