

SENATE BILL 237

G1

(6lr0667)

ENROLLED BILL

— *Education, Energy, and the Environment/Government, Labor, and Elections* —

Introduced by **Senator Kagan**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Presidential Electors – Selection and Voting**

3 FOR the purpose of altering the procedures for the selection of presidential elector
4 nominees and alternate presidential elector nominees; requiring the State
5 Administrator of Elections to preside and serve as secretary at a certain meeting of
6 certain presidential electors; altering the procedures for the meeting of presidential
7 electors; establishing procedures for the preparation, delivery, signing, and
8 transmission of an amended certificate of ascertainment after the vote of the State's
9 presidential electors under certain circumstances; and generally relating to
10 presidential electors.

11 BY repealing

12 Article – Election Law

13 Section 8–503 through 8–505

14 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 (2022 Replacement Volume and 2025 Supplement)

2 BY repealing and reenacting, without amendments,
 3 Article – Election Law
 4 Section 1–101(a)
 5 Annotated Code of Maryland
 6 (2022 Replacement Volume and 2025 Supplement)

7 BY adding to
 8 Article – Election Law
 9 Section 1–101(ii–2) and (tt–1), 8–504, 8–506, 8–507, and 8–509
 10 Annotated Code of Maryland
 11 (2022 Replacement Volume and 2025 Supplement)

12 BY repealing and reenacting, with amendments,
 13 Article – Election Law
 14 Section 1–101(tt–1) ~~and 8–503 through 8–505~~
 15 Annotated Code of Maryland
 16 (2022 Replacement Volume and 2025 Supplement)

17 BY repealing and reenacting, with amendments,
 18 Article – Election Law
 19 Section ~~8–504 and 8–503 through~~ 8–505
 20 Annotated Code of Maryland
 21 (2022 Replacement Volume and 2025 Supplement)
 22 (As enacted by Chapters 43 and 44 of the Acts of the General Assembly of 2007)

23 BY repealing
 24 Chapter 43 of the Acts of the General Assembly of 2007
 25 Section 3

26 BY repealing and reenacting, with amendments,
 27 Chapter 43 of the Acts of the General Assembly of 2007
 28 Section 4

29 BY repealing
 30 Chapter 44 of the Acts of the General Assembly of 2007
 31 Section 3

32 BY repealing and reenacting, with amendments,
 33 Chapter 44 of the Acts of the General Assembly of 2007
 34 Section 4

35 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 36 That Section(s) 8–503 through 8–505 of Article – Election Law of the Annotated Code of
 37 Maryland be repealed.

1 ALTERNATE PRESIDENTIAL ELECTOR NOMINEES SUBMITTED TO THE STATE BOARD
2 IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION by a candidate for President
3 of the United States who is nominated by petition shall be certified to the State Board by
4 the candidate.

5 (3) The NOMINEES FOR PRESIDENTIAL electors AND ALTERNATE
6 PRESIDENTIAL ELECTORS shall be certified to the State Board at least 30 days before the
7 general election.

8 [(d)] (C) (1) THIS SUBSECTION APPLIES ONLY IF THE AGREEMENT
9 UNDER § 8-5A-01 OF THIS TITLE IS IN EFFECT.

10 (2) If the number of presidential electors nominated is less than or greater
11 than the State's number of electoral votes, presidential electors shall be nominated as
12 provided for under Article III of § 8-5A-01 of this title.

13 8-504.

14 (A) EACH PRESIDENTIAL ELECTOR NOMINEE AND ALTERNATE
15 PRESIDENTIAL ELECTOR NOMINEE OF A POLITICAL PARTY SHALL EXECUTE THE
16 FOLLOWING PLEDGE: "IF SELECTED FOR THE POSITION OF PRESIDENTIAL
17 ELECTOR, I AGREE TO SERVE AND TO MARK MY BALLOTS FOR PRESIDENT AND VICE
18 PRESIDENT FOR THE NOMINEES FOR THOSE OFFICES OF THE PARTY THAT
19 NOMINATED ME."

20 (B) EACH PRESIDENTIAL ELECTOR NOMINEE AND ALTERNATE
21 PRESIDENTIAL ELECTOR NOMINEE OF AN UNAFFILIATED PRESIDENTIAL
22 CANDIDATE SHALL EXECUTE THE FOLLOWING PLEDGE: "IF SELECTED FOR THE
23 POSITION OF PRESIDENTIAL ELECTOR AS A NOMINEE OF AN UNAFFILIATED
24 PRESIDENTIAL CANDIDATE, I AGREE TO SERVE AND TO MARK MY BALLOTS FOR THAT
25 CANDIDATE AND FOR THAT CANDIDATE'S VICE PRESIDENTIAL RUNNING MATE."

26 (C) THE EXECUTED PLEDGES SHALL ACCOMPANY THE SUBMISSION OF THE
27 CORRESPONDING PRESIDENTIAL ELECTOR NOMINEE NAMES TO THE STATE BOARD.

28 (D) IF, AFTER THE NOMINATION OF A CANDIDATE FOR PRESIDENT OR VICE
29 PRESIDENT BY A POLITICAL PARTY AND BEFORE THE MEETING OF PRESIDENTIAL
30 ELECTORS UNDER § 8-508 OF THIS SUBTITLE, THE CANDIDATE DIES OR WITHDRAWS
31 AS A CANDIDATE FOR THAT OFFICE IN ACCORDANCE WITH THE RULES OF THE
32 POLITICAL PARTY, THE PLEDGE EXECUTED UNDER SUBSECTION (A) OF THIS
33 SECTION OR § 8-507(D) OF THIS SUBTITLE APPLIES TO THE SUCCESSOR CANDIDATE
34 FOR THAT OFFICE NOMINATED BY THE POLITICAL PARTY IN ACCORDANCE WITH THE
35 PARTY RULES.

1 [8-504.] 8-505.

2 (a) (1) At the general election for President and Vice President of the United
 3 States there shall be elected, in accordance with subsection (b) of this section, the number of
 4 presidential electors to which this State is entitled.

5 (2) Presidential electors shall be elected:

6 (I) IF THE AGREEMENT UNDER § 8-5A-01 OF THIS TITLE IS NOT
 7 IN EFFECT, AT LARGE BY THE VOTERS OF THE ENTIRE STATE; OR

8 (II) IF THE AGREEMENT UNDER § 8-5A-01 OF THIS TITLE IS IN
 9 EFFECT, under the procedure provided in § 8-5A-01 of this title.

10 (b) (1) The names of the candidates for the office of presidential elector may not
 11 be printed on the ballot.

12 (2) A vote for the candidates for President and Vice President of a political
 13 party shall be considered to be and counted as a vote for each of the NOMINEES FOR
 14 presidential [electors] ELECTOR of the political party [nominated] SUBMITTED in
 15 accordance with § 8-503 of this subtitle.

16 (3) A VOTE FOR AN UNAFFILIATED CANDIDATE FOR PRESIDENT AND
 17 VICE PRESIDENT SHALL BE CONSIDERED TO BE AND COUNTED AS A VOTE FOR EACH
 18 OF THE NOMINEES FOR PRESIDENTIAL ELECTOR SUBMITTED BY THE UNAFFILIATED
 19 PRESIDENTIAL CANDIDATE TO THE STATE BOARD IN ACCORDANCE WITH § 8-503 OF
 20 THIS SUBTITLE.

21 **8-506.**

22 IN SUBMITTING THIS STATE'S CERTIFICATE OF ASCERTAINMENT AS
 23 REQUIRED BY ~~3 U.S.C. § 6~~ **3 U.S.C. § 5**, THE GOVERNOR SHALL CERTIFY THE
 24 STATE'S PRESIDENTIAL ELECTORS AND STATE IN THE CERTIFICATE THAT:

25 (1) THE PRESIDENTIAL ELECTORS WILL SERVE AS PRESIDENTIAL
 26 ELECTORS UNLESS A VACANCY OCCURS IN THE OFFICE OF PRESIDENTIAL ELECTOR
 27 BEFORE THE END OF THE MEETING AT WHICH PRESIDENTIAL ELECTOR VOTES ARE
 28 CAST, IN WHICH CASE A SUBSTITUTE PRESIDENTIAL ELECTOR WILL FILL THE
 29 VACANCY; AND

30 (2) IF A SUBSTITUTE PRESIDENTIAL ELECTOR IS APPOINTED TO FILL
 31 A VACANCY, THE GOVERNOR WILL SUBMIT AN AMENDED CERTIFICATE OF
 32 ASCERTAINMENT STATING THE NAMES ON THE FINAL LIST OF THE PRESIDENTIAL
 33 ELECTORS.

1 8-507.

2 (A) THE STATE ADMINISTRATOR SHALL PRESIDE AND SERVE AS
 3 SECRETARY AT THE MEETING OF PRESIDENTIAL ELECTORS DESCRIBED IN § 8-508
 4 OF THIS SUBTITLE.

5 (B) THE POSITION OF A PRESIDENTIAL ELECTOR NOT PRESENT TO VOTE IS
 6 VACANT.

7 (C) ~~(1)~~ (I) ~~THE STATE ADMINISTRATOR~~ PRESIDENTIAL ELECTORS STILL
 8 SERVING SHALL APPOINT AN INDIVIDUAL AS A SUBSTITUTE PRESIDENTIAL ELECTOR
 9 TO FILL A VACANCY AS FOLLOWS:

10 ~~(1)~~ (I) IF THE ALTERNATE PRESIDENTIAL ELECTOR IS PRESENT TO
 11 VOTE, BY APPOINTING THE ALTERNATE PRESIDENTIAL ELECTOR FOR THE VACANT
 12 POSITION;

13 ~~(2)~~ (II) IF THE ALTERNATE PRESIDENTIAL ELECTOR FOR THE
 14 VACANT POSITION IS NOT PRESENT TO VOTE, BY APPOINTING A PRESIDENTIAL
 15 ELECTOR CHOSEN BY LOT FROM AMONG THE ALTERNATE PRESIDENTIAL ELECTORS
 16 PRESENT TO VOTE WHO WERE NOMINATED BY THE SAME POLITICAL PARTY OR THE
 17 UNAFFILIATED PRESIDENTIAL CANDIDATE;

18 ~~(3)~~ (III) IF THE NUMBER OF ALTERNATE PRESIDENTIAL ELECTORS
 19 PRESENT TO VOTE IS INSUFFICIENT TO FILL ANY VACANT POSITION IN ACCORDANCE
 20 WITH ITEM ~~(1) OR (2)~~ (I) OR (II) OF THIS ~~SUBSECTION~~ PARAGRAPH, BY APPOINTING
 21 ANY IMMEDIATELY AVAILABLE INDIVIDUAL WHO IS QUALIFIED TO SERVE AS A
 22 PRESIDENTIAL ELECTOR AND CHOSEN THROUGH NOMINATION BY AND PLURALITY
 23 VOTE OF THE REMAINING PRESIDENTIAL ELECTORS, INCLUDING NOMINATION AND
 24 VOTE BY A SINGLE PRESIDENTIAL ELECTOR IF ONLY ONE REMAINS; OR

25 ~~(4)~~ (IV) IF THERE IS A TIE BETWEEN AT LEAST TWO NOMINEES FOR
 26 SUBSTITUTE PRESIDENTIAL ELECTOR IN A VOTE CONDUCTED UNDER ITEM ~~(3)~~ (III)
 27 OF THIS ~~SUBSECTION~~ PARAGRAPH, BY APPOINTING A PRESIDENTIAL ELECTOR
 28 CHOSEN BY LOT FROM AMONG THOSE NOMINEES; ~~OR.~~

29 ~~(5) IF ALL PRESIDENTIAL ELECTOR POSITIONS ARE VACANT AND~~
 30 ~~CANNOT BE FILLED IN ACCORDANCE WITH ITEM (1), (2), (3), OR (4) OF THIS~~
 31 ~~SUBSECTION, BY APPOINTING A SINGLE PRESIDENTIAL ELECTOR, WITH REMAINING~~
 32 ~~VACANT POSITIONS TO BE FILLED IN ACCORDANCE WITH ITEM (3) OR (4) OF THIS~~
 33 ~~SUBSECTION.~~

1 **(2) IF ALL PRESIDENTIAL ELECTOR POSITIONS ARE VACANT AND**
2 **CANNOT BE FILLED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION,**
3 **THE STATE ADMINISTRATOR SHALL APPOINT A SINGLE PRESIDENTIAL ELECTOR,**
4 **WITH REMAINING VACANT POSITIONS TO BE FILLED IN ACCORDANCE WITH**
5 **PARAGRAPH (1)(III) OR (IV) OF THIS SUBSECTION.**

6 (D) TO QUALIFY AS A SUBSTITUTE PRESIDENTIAL ELECTOR UNDER
7 SUBSECTION (C) OF THIS SECTION, AN INDIVIDUAL WHO HAS NOT EXECUTED THE
8 PLEDGE REQUIRED UNDER § 8-504 OF THIS SUBTITLE SHALL EXECUTE THE
9 FOLLOWING PLEDGE: “I AGREE TO SERVE AND TO MARK MY BALLOTS FOR
10 PRESIDENT AND VICE PRESIDENT CONSISTENT WITH THE PLEDGE OF THE
11 INDIVIDUAL TO WHOSE PRESIDENTIAL ELECTOR POSITION I HAVE SUCCEEDED.”.

12 **[8-505.] 8-508.**

13 (a) (1) The individuals elected to the office of presidential elector shall meet in
14 the State House in the City of Annapolis on the day provided by the Constitution and laws
15 of the United States.

16 (2) The conduct of the meeting shall be consistent with the requirements of
17 federal law.

18 (b) (1) Before proceeding to perform the duties of their office, the presidential
19 electors who are present shall fill any vacancy in the office of PRESIDENTIAL elector IN
20 ACCORDANCE WITH § 8-507 OF THIS SUBTITLE, whether the vacancy is caused by
21 absence or other reason.

22 (2) An individual appointed to fill a vacancy is entitled to all rights and
23 privileges of the duly elected electors.

24 (c) (1) After taking the oath prescribed by Article I, § 9 of the Maryland
25 Constitution before the Clerk of the Supreme Court of Maryland or, in the Clerk’s absence,
26 before one of the Clerk’s deputies, the presidential electors shall cast their votes for:

27 **(I) IF THE AGREEMENT UNDER § 8-5A-01 OF THIS TITLE IS NOT**
28 **IN EFFECT, THE CANDIDATES FOR PRESIDENT AND VICE PRESIDENT WHO RECEIVED**
29 **A PLURALITY OF THE VOTES CAST IN THE STATE OF MARYLAND; OR**

30 **(II) IF THE AGREEMENT UNDER § 8-5A-01 OF THIS TITLE IS IN**
31 **EFFECT, the candidates for President and Vice President who received a plurality of the**
32 **votes cast in the national popular vote total defined in § 8-5A-01 of this title.**

33 **(2) THE STATE ADMINISTRATOR SHALL PROVIDE EACH**
34 **PRESIDENTIAL ELECTOR WITH A PRESIDENTIAL AND A VICE PRESIDENTIAL BALLOT.**

1 **(3) EACH PRESIDENTIAL ELECTOR SHALL MARK THE PRESIDENTIAL**
2 **ELECTOR'S PRESIDENTIAL AND VICE PRESIDENTIAL BALLOTS WITH THE**
3 **PRESIDENTIAL ELECTOR'S SIGNATURE AND THE PRESIDENTIAL ELECTOR'S LEGIBLY**
4 **PRINTED NAME.**

5 **(D) (1) (I) THIS PARAGRAPH APPLIES ONLY IF THE AGREEMENT UNDER**
6 **§ 8-5A-01 OF THIS TITLE IS NOT IN EFFECT.**

7 **(II) EACH PRESIDENTIAL ELECTOR SHALL PRESENT BOTH**
8 **COMPLETED BALLOTS TO THE STATE ADMINISTRATOR.**

9 **(III) THE STATE ADMINISTRATOR SHALL EXAMINE THE BALLOTS**
10 **PRESENTED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH AND ACCEPT AS CAST**
11 **ALL BALLOTS OF PRESIDENTIAL ELECTORS WHOSE VOTES ARE CONSISTENT WITH**
12 **THEIR PLEDGES EXECUTED UNDER § 8-504 OR § 8-507(D) OF THIS SUBTITLE.**

13 **(2) (I) THIS PARAGRAPH APPLIES ONLY IF THE AGREEMENT UNDER**
14 **§ 8-5A-01 OF THIS TITLE IS IN EFFECT.**

15 **(II) EACH PRESIDENTIAL ELECTOR SHALL PRESENT BOTH**
16 **COMPLETED BALLOTS TO THE STATE ADMINISTRATOR, WHO SHALL EXAMINE THE**
17 **BALLOTS AND ACCEPT AS CAST ALL BALLOTS OF PRESIDENTIAL ELECTORS WHOSE**
18 **VOTES ARE CONSISTENT WITH THEIR PLEDGES EXECUTED FOR THE CANDIDATES**
19 **FOR PRESIDENT AND VICE PRESIDENT WHO ARE THE NATIONAL POPULAR VOTE**
20 **WINNERS AS DEFINED IN § 8-5A-01 OF THIS TITLE.**

21 **(3) THE STATE ADMINISTRATOR MAY NOT ACCEPT EITHER A**
22 **PRESIDENTIAL ELECTOR'S PRESIDENTIAL OR VICE PRESIDENTIAL BALLOT IF THE**
23 **PRESIDENTIAL ELECTOR VOTED IN VIOLATION OF THE PRESIDENTIAL ELECTOR'S**
24 **PLEDGE.**

25 **(E) A PRESIDENTIAL ELECTOR WHO REFUSES TO PRESENT A BALLOT,**
26 **PRESENTS AN UNMARKED BALLOT AND REFUSES TO SIGN THE CERTIFICATE OF**
27 **VOTE, OR PRESENTS A BALLOT MARKED IN VIOLATION OF THE PRESIDENTIAL**
28 **ELECTOR'S PLEDGE EXECUTED UNDER § 8-504 OR § 8-507(D) OF THIS SUBTITLE**
29 **VACATES THE OFFICE OF ELECTOR, CREATING A VACANT POSITION TO BE FILLED**
30 **UNDER § 8-507 OF THIS SUBTITLE.**

31 **(F) THE STATE ADMINISTRATOR SHALL DISTRIBUTE BALLOTS AND**
32 **COLLECT BALLOTS FROM A SUBSTITUTE PRESIDENTIAL ELECTOR AND REPEAT THE**
33 **PROCESS UNDER THIS SECTION, DECLARING VACANT POSITIONS TO BE FILLED AS**
34 **REQUIRED UNDER § 8-507(C) OF THIS SUBTITLE, AND RECORDING APPROPRIATELY**
35 **COMPLETED BALLOTS FROM THE SUBSTITUTE PRESIDENTIAL ELECTORS, UNTIL ALL**
36 **OF THE STATE'S ELECTORAL VOTES HAVE BEEN CAST AND RECORDED.**

1 8-509.

2 (A) AFTER THE VOTE OF THE STATE'S PRESIDENTIAL ELECTORS IS
3 COMPLETED, IF THE FINAL LIST OF PRESIDENTIAL ELECTORS DIFFERS FROM ANY
4 LIST THAT THE GOVERNOR PREVIOUSLY INCLUDED ON A CERTIFICATE OF
5 ASCERTAINMENT PREPARED AND TRANSMITTED UNDER ~~3 U.S.C. § 6~~ 3 U.S.C. § 5,
6 THE STATE ADMINISTRATOR IMMEDIATELY SHALL PREPARE AN AMENDED
7 CERTIFICATE OF ASCERTAINMENT IN ACCORDANCE WITH 3 U.S.C. § 4 AND
8 TRANSMIT IT TO THE GOVERNOR FOR THE GOVERNOR'S SIGNATURE.

9 (B) THE GOVERNOR IMMEDIATELY SHALL DELIVER THE SIGNED AMENDED
10 CERTIFICATE OF ASCERTAINMENT TO THE STATE ADMINISTRATOR AND A SIGNED
11 DUPLICATE ORIGINAL OF THE AMENDED CERTIFICATE OF ASCERTAINMENT TO ALL
12 INDIVIDUALS ENTITLED TO RECEIVE THIS STATE'S CERTIFICATE OF
13 ASCERTAINMENT, INDICATING THAT THE AMENDED CERTIFICATE OF
14 ASCERTAINMENT IS TO BE SUBSTITUTED FOR THE CERTIFICATE OF
15 ASCERTAINMENT PREVIOUSLY SUBMITTED.

16 (C) (1) THE STATE ADMINISTRATOR SHALL PREPARE A CERTIFICATE OF
17 THE VOTE.

18 (2) THE PRESIDENTIAL ELECTORS ON THE FINAL LIST SHALL SIGN
19 THE CERTIFICATE.

20 (3) THE STATE ADMINISTRATOR SHALL PROCESS AND TRANSMIT THE
21 SIGNED CERTIFICATE WITH THE AMENDED CERTIFICATE OF ASCERTAINMENT
22 UNDER 3 U.S.C. §§ 9 THROUGH 11.

23 **Chapter 43 of the Acts of 2007**

24 [SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act may not
25 take effect until the interstate compact entitled "Agreement Among the States to Elect the
26 President by National Popular Vote" is enacted in substantially the same form by states
27 cumulatively possessing a majority of the electoral votes and the enactments of the compact
28 have taken effect in each state; that Section 1 of this Act shall only govern the appointment
29 of presidential electors in any year in which the Agreement Among the States to Elect the
30 President by National Popular Vote is, on July 20, in effect in states cumulatively possessing
31 a majority of the electoral votes; that all the states of the United States are requested to
32 concur in this Act of the General Assembly of Maryland by the enactment of a similar Act;
33 and that the Department of Legislative Services shall notify the appropriate officials of the
34 combined states of the enactment of this Act.]

1 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section
 2 3 of this Act,] this Act shall take effect October 1, 2007.

3 **Chapter 44 of the Acts of 2007**

4 [SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act may not
 5 take effect until the interstate compact entitled "Agreement Among the States to Elect the
 6 President by National Popular Vote" is enacted in substantially the same form by states
 7 cumulatively possessing a majority of the electoral votes and the enactments of the compact
 8 have taken effect in each state; that Section 1 of this Act shall only govern the appointment
 9 of presidential electors in any year in which the Agreement Among the States to Elect the
 10 President by National Popular Vote is, on July 20, in effect in states cumulatively possessing
 11 a majority of the electoral votes; that all the states of the United States are requested to
 12 concur in this Act of the General Assembly of Maryland by the enactment of a similar Act;
 13 and that the Department of Legislative Services shall notify the appropriate officials of the
 14 combined states of the enactment of this Act.]

15 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section
 16 3 of this Act,] this Act shall take effect October 1, 2007.

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

19 ~~**Article — Election Law**~~

20 ~~[§ 504.] § 505.~~

21 ~~(a) (1) At the general election for President and Vice President of the United~~
 22 ~~States there shall be elected, in accordance with subsection (b) of this section, the number~~
 23 ~~of presidential electors to which this State is entitled.~~

24 ~~(2) Presidential electors shall be elected at large by the voters of the entire~~
 25 ~~State.~~

26 ~~(b) (1) The names of the candidates for the office of presidential elector may~~
 27 ~~not be printed on the ballot.~~

28 ~~(2) A vote for the candidates for President and Vice President of a political~~
 29 ~~party shall be considered to be and counted as a vote for each of the NOMINEES FOR~~
 30 ~~presidential [electors] ELECTOR of the political party [nominated] SUBMITTED in~~
 31 ~~accordance with § 8-503 of this subtitle.~~

32 ~~(3) A VOTE FOR AN UNAFFILIATED CANDIDATE FOR PRESIDENT AND~~
 33 ~~VICE PRESIDENT SHALL BE CONSIDERED TO BE AND COUNTED AS A VOTE FOR EACH~~
 34 ~~OF THE NOMINEES FOR PRESIDENTIAL ELECTOR SUBMITTED BY THE UNAFFILIATED~~

1 ~~PRESIDENTIAL CANDIDATE TO THE STATE BOARD IN ACCORDANCE WITH § 8-503 OF~~
2 ~~THIS SUBTITLE.~~

3 ~~[§ 505.] § 508.~~

4 (a) (1) ~~The individuals elected to the office of presidential elector shall meet in~~
5 ~~the State House in the City of Annapolis on the day provided by the Constitution and laws~~
6 ~~of the United States.~~

7 (2) ~~The conduct of the meeting shall be consistent with the requirements~~
8 ~~of federal law.~~

9 (b) (1) ~~Before proceeding to perform the duties of their office, the presidential~~
10 ~~electors who are present shall fill any vacancy in the office of PRESIDENTIAL elector IN~~
11 ~~ACCORDANCE WITH § 8-507 OF THIS SUBTITLE, whether the vacancy is caused by~~
12 ~~absence or other reason.~~

13 (2) ~~An individual appointed to fill a vacancy is entitled to all rights and~~
14 ~~privileges of the duly elected electors.~~

15 (c) (1) ~~After taking the oath prescribed by Article I, § 9 of the Maryland~~
16 ~~Constitution before the Clerk of the Supreme Court of Maryland or, in the Clerk's absence,~~
17 ~~before one of the Clerk's deputies, the presidential electors shall cast their votes for the~~
18 ~~candidates for President and Vice President who received a plurality of the votes cast in~~
19 ~~the State of Maryland.~~

20 (2) ~~THE STATE ADMINISTRATOR SHALL PROVIDE EACH~~
21 ~~PRESIDENTIAL ELECTOR WITH A PRESIDENTIAL AND VICE PRESIDENTIAL BALLOT.~~

22 (3) ~~EACH PRESIDENTIAL ELECTOR SHALL MARK THE PRESIDENTIAL~~
23 ~~ELECTOR'S PRESIDENTIAL AND VICE PRESIDENTIAL BALLOTS WITH THE~~
24 ~~PRESIDENTIAL ELECTOR'S SIGNATURE AND THE PRESIDENTIAL ELECTOR'S~~
25 ~~LEGIBLY PRINTED NAME.~~

26 (D) (1) ~~EACH PRESIDENTIAL ELECTOR SHALL PRESENT BOTH~~
27 ~~COMPLETED BALLOTS TO THE STATE ADMINISTRATOR.~~

28 (2) ~~THE STATE ADMINISTRATOR SHALL EXAMINE THE BALLOTS~~
29 ~~PRESENTED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND ACCEPT AS CAST ALL~~
30 ~~BALLOTS OF PRESIDENTIAL ELECTORS WHOSE VOTES ARE CONSISTENT WITH THEIR~~
31 ~~PLEDGES EXECUTED UNDER § 8-504 OR § 8-507(D) OF THIS SUBTITLE.~~

32 (3) ~~THE STATE ADMINISTRATOR MAY NOT COUNT EITHER A~~
33 ~~PRESIDENTIAL ELECTOR'S PRESIDENTIAL OR VICE PRESIDENTIAL BALLOT IF THE~~

~~1 PRESIDENTIAL ELECTOR HAS NOT MARKED BOTH BALLOTS OR HAS MARKED A
2 BALLOT IN VIOLATION OF THE PRESIDENTIAL ELECTOR'S PLEDGE.~~

~~3 (E) A PRESIDENTIAL ELECTOR WHO REFUSES TO PRESENT A BALLOT,
4 PRESENTS AN UNMARKED BALLOT, OR PRESENTS A BALLOT MARKED IN VIOLATION
5 OF THE PRESIDENTIAL ELECTOR'S PLEDGE EXECUTED UNDER § 8-504 OR § 8-507(D)
6 OF THIS SUBTITLE VACATES THE OFFICE OF ELECTOR, CREATING A VACANT
7 POSITION TO BE FILLED UNDER § 8-507 OF THIS SUBTITLE.~~

~~8 (F) THE STATE ADMINISTRATOR SHALL DISTRIBUTE BALLOTS AND
9 COLLECT BALLOTS FROM A SUBSTITUTE PRESIDENTIAL ELECTOR AND REPEAT THE
10 PROCESS UNDER THIS SECTION, DECLARING AND FILLING VACANT POSITIONS AS
11 REQUIRED, AND RECORDING APPROPRIATELY COMPLETED BALLOTS FROM THE
12 SUBSTITUTED PRESIDENTIAL ELECTORS, UNTIL ALL OF THE STATE'S ELECTORAL
13 VOTES HAVE BEEN CAST AND RECORDED.~~

~~14 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
15 as follows:~~

~~Article — Election Law~~

~~17 [§ 504.] § 505.~~

~~18 (a) (1) At the general election for President and Vice President of the United
19 States there shall be elected, in accordance with subsection (b) of this section, the number
20 of presidential electors to which this State is entitled.~~

~~21 (2) Presidential electors shall be elected under the procedure provided in §
22 8-5A-01 of this title.~~

~~23 (b) (1) The names of the candidates for the office of presidential elector may
24 not be printed on the ballot.~~

~~25 (2) A vote for the candidates for President and Vice President of a political
26 party shall be considered to be and counted as a vote for each of the NOMINEES FOR
27 presidential [electors] ELECTOR of the political party [nominated] SUBMITTED in
28 accordance with § 8-503 of this subtitle.~~

~~29 (3) A VOTE FOR AN UNAFFILIATED CANDIDATE FOR PRESIDENT AND
30 VICE PRESIDENT SHALL BE CONSIDERED TO BE AND COUNTED AS A VOTE FOR EACH
31 OF THE NOMINEES FOR PRESIDENTIAL ELECTOR SUBMITTED BY THE UNAFFILIATED
32 PRESIDENTIAL CANDIDATE TO THE STATE BOARD IN ACCORDANCE WITH § 8-503 OF
33 THIS SUBTITLE.~~

~~34 [§ 505.] § 508.~~

1 (a) (1) ~~The individuals elected to the office of presidential elector shall meet in~~
2 ~~the State House in the City of Annapolis on the day provided by the Constitution and laws~~
3 ~~of the United States.~~

4 (2) ~~The conduct of the meeting shall be consistent with the requirements~~
5 ~~of federal law.~~

6 (b) (1) ~~Before proceeding to perform the duties of their office, the presidential~~
7 ~~electors who are present shall fill any vacancy in the office of PRESIDENTIAL elector IN~~
8 ~~ACCORDANCE WITH § 8 507 OF THIS SUBTITLE, whether the vacancy is caused by~~
9 ~~absence or other reason.~~

10 (2) ~~An individual appointed to fill a vacancy is entitled to all rights and~~
11 ~~privileges of the duly elected electors.~~

12 (e) (1) ~~After taking the oath prescribed by Article I, § 9 of the Maryland~~
13 ~~Constitution before the Clerk of the Supreme Court of Maryland or, in the Clerk's absence,~~
14 ~~before one of the Clerk's deputies, the presidential electors shall cast their votes for the~~
15 ~~candidates for President and Vice President who received a plurality of the votes cast in~~
16 ~~the national popular vote total defined in § 8 5A 01 of this title.~~

17 (2) ~~THE STATE ADMINISTRATOR SHALL PROVIDE EACH~~
18 ~~PRESIDENTIAL ELECTOR WITH A PRESIDENTIAL AND VICE PRESIDENTIAL BALLOT.~~

19 (3) ~~EACH PRESIDENTIAL ELECTOR SHALL MARK THE PRESIDENTIAL~~
20 ~~ELECTOR'S PRESIDENTIAL AND VICE PRESIDENTIAL BALLOTS WITH THE~~
21 ~~PRESIDENTIAL ELECTOR'S SIGNATURE AND THE PRESIDENTIAL ELECTOR'S~~
22 ~~LEGIBLY PRINTED NAME.~~

23 (D) (1) ~~EACH PRESIDENTIAL ELECTOR SHALL PRESENT BOTH~~
24 ~~COMPLETED BALLOTS TO THE STATE ADMINISTRATOR, WHO SHALL EXAMINE THE~~
25 ~~BALLOTS AND ACCEPT AS CAST ALL BALLOTS OF PRESIDENTIAL ELECTORS WHOSE~~
26 ~~VOTES ARE CONSISTENT WITH THEIR PLEDGES EXECUTED FOR THE CANDIDATES~~
27 ~~FOR PRESIDENT AND VICE PRESIDENT WHO ARE THE NATIONAL POPULAR VOTE~~
28 ~~WINNERS AS DEFINED IN § 8 5A 01 OF THIS TITLE.~~

29 (2) ~~THE STATE ADMINISTRATOR MAY NOT COUNT EITHER A~~
30 ~~PRESIDENTIAL ELECTOR'S PRESIDENTIAL OR VICE PRESIDENTIAL BALLOT IF THE~~
31 ~~PRESIDENTIAL ELECTOR HAS NOT MARKED BOTH BALLOTS OR HAS MARKED A~~
32 ~~BALLOT IN VIOLATION OF THE PRESIDENTIAL ELECTOR'S PLEDGE.~~

33 (E) ~~A PRESIDENTIAL ELECTOR WHO REFUSES TO PRESENT A BALLOT,~~
34 ~~PRESENTS AN UNMARKED BALLOT, OR PRESENTS A BALLOT MARKED IN VIOLATION~~
35 ~~OF THE PRESIDENTIAL ELECTOR'S PLEDGE EXECUTED UNDER § 8 504 OR § 8 507(D)~~

1 ~~OF THIS SUBTITLE VACATES THE OFFICE OF ELECTOR, CREATING A VACANT~~
 2 ~~POSITION TO BE FILLED UNDER § 8 507 OF THIS SUBTITLE.~~

3 ~~(F) THE STATE ADMINISTRATOR SHALL DISTRIBUTE BALLOTS AND~~
 4 ~~COLLECT BALLOTS FROM A SUBSTITUTE PRESIDENTIAL ELECTOR AND REPEAT THE~~
 5 ~~PROCESS UNDER THIS SECTION, DECLARING AND FILLING VACANT POSITIONS AS~~
 6 ~~REQUIRED, AND RECORDING APPROPRIATELY COMPLETED BALLOTS FROM THE~~
 7 ~~SUBSTITUTE PRESIDENTIAL ELECTORS, UNTIL ALL OF THIS STATE'S ELECTORAL~~
 8 ~~VOTES HAVE BEEN CAST AND RECORDED.~~

9 ~~SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take~~
 10 ~~effect October 1, 2026. It shall remain effective until the taking effect of Section 1 of~~
 11 ~~Chapters 43 and 44 of the Acts of the General Assembly of 2007. If the contingency stated~~
 12 ~~in Section 3 of Chapters 43 and 44 of the Acts of the General Assembly of 2007 takes effect,~~
 13 ~~Section 2 of this Act shall be abrogated and of no further force and effect.~~

14 ~~SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take~~
 15 ~~effect on the taking effect of Section 1 of Chapters 43 and 44 of the Acts of the General~~
 16 ~~Assembly of 2007.~~

17 ~~SECTION 6. 3. AND BE IT FURTHER ENACTED, That, subject to the provisions~~
 18 ~~of Sections 4 and 5 of this Act, this Act shall take effect October 1, 2026.~~

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.