

SENATE BILL 948

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By: Senator Kagan

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Internet-Delivered Absentee Ballots – Information and Receipt**
3 **Limitation**

4 FOR the purpose of requiring that the accessible online absentee ballot application
5 provided by the State Board of Elections include certain information for voters that
6 choose to receive an absentee ballot provided by the Internet; prohibiting certain
7 voters on permanent absentee ballot status from receiving a recurring absentee
8 ballot provided by the Internet; altering the contents of a certain communication sent
9 to certain voters on permanent absentee voter status; and generally relating to
10 Internet-delivered absentee ballots.

11 BY repealing and reenacting, without amendments,
12 Article – Election Law
13 Section 9–305(a) and (b), 9–306(a), and 9–311.1(a), (b), (c), (e), and (f)
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Election Law
18 Section 9–305(c), 9–306(b), and 9–311.1(d) and (g)
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2025 Supplement)

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

23 **Article – Election Law**

24 9–305.

25 (a) A voter may request an absentee ballot by completing and submitting:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) the State Board approved absentee ballot application;
- 2 (2) a form provided under federal law;
- 3 (3) subject to subsection (b) of this section, a written request that includes:
 - 4 (i) the voter's name, residence address, and signature; and
 - 5 (ii) the address to which the ballot is to be mailed, if different from
 - 6 the residence address; or
- 7 (4) the accessible online absentee ballot application provided by the State
- 8 Board.

9 (b) A voter who uses the online absentee ballot application to request that an
10 absentee ballot be sent by any method or who uses any method to request to receive a blank
11 absentee ballot through the Internet shall provide the following information:

12 (1) a Maryland driver's license number or Maryland identification card
13 number, the last four digits of the applicant's Social Security number, and other
14 information identified by the State Board that is not generally available to the public but
15 is readily available to the applicant; or

16 (2) if the applicant is an absent uniformed services voter or overseas voter
17 as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act or a voter
18 with a disability and does not have a Maryland driver's license or Maryland identification
19 card, the last four digits of the applicant's Social Security number.

20 (c) (1) The State-approved absentee ballot application shall include a
21 statement explaining the process for returning a completed absentee ballot if the voter
22 chooses to receive an absentee ballot by facsimile transmission or the Internet.

23 (2) **THE ACCESSIBLE ONLINE ABSENTEE BALLOT APPLICATION
24 SHALL INCLUDE THE FOLLOWING FOR A VOTER WHO CHOOSES TO RECEIVE AN
25 ABSENTEE BALLOT BY THE INTERNET:**

26 (I) **A SEPARATE MODAL BOX THAT PROVIDES A DETAILED
27 DESCRIPTION OF THE PROCESS FOR OBTAINING, COMPLETING, RETURNING, AND
28 PROCESSING THE ABSENTEE BALLOT; AND**

29 (II) **A DIALOG BOX THAT REQUIRES THE VOTER TO
30 AFFIRMATIVELY RESPOND THAT THE VOTER UNDERSTANDS THE REQUIREMENTS
31 AND AGREES TO ACCEPT DELIVERY OF THE ABSENTEE BALLOT BY THE INTERNET.**

5 (1) mail;

6 (2) facsimile transmission;

(3) SUBJECT TO § 9-311.1(D)(2) OF THIS SUBTITLE FOR A VOTER ON
PERMANENT ABSENTEE BALLOT STATUS, the Internet; or

9 (4) by hand during an in-person transaction.

10 9-311.1.

11 (a) All voters are eligible for permanent absentee ballot status.

12 (b) To request permanent absentee ballot status, a voter shall complete and
13 submit:

14 (1) the State Board–approved absentee ballot application and indicate on
15 the form that the voter wishes to have permanent absentee ballot status;

16 (2) a written request that includes the voter's name, residence address, and
17 signature; or

18 (3) the online absentee ballot application provided by the State Board and

20 (c) (1) A voter may apply for permanent absentee ballot status at any time.

22 an absentee ballot for the next election if the request is made after the applicable deadline
23 specified in § 9–305(c) of this subtitle.

24 (d) (1) A voter shall specify in an absentee ballot application submitted in
25 accordance with subsection (b) of this section:

26 [(1)] (I) one of the following methods by which the voter chooses to receive
27 an absentee ballot:

28 [(i)] 1. mail;

[**(ii)**] 2. facsimile transmission; or

[(iii)] 3. SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,

3 the Internet; and

4 [(2)] (II) one of the following methods by which the voter chooses to be
5 contacted by the State Board under subsection (g) of this section before each election:

[(i)] 1. nonforwardable mail;

[(ii)] 2. e-mail; or

[(iii)] 3. text message.

(2) (I) THIS PARAGRAPH DOES NOT APPLY TO:

1. AN ABSENT UNIFORMED SERVICES VOTER OR AN

11 OVERSEAS VOTER AS DEFINED IN THE FEDERAL UNIFORMED AND OVERSEAS
12 CITIZENS ABSENTEE VOTING ACT; OR

2. A VOTER USING THE ONLINE BALLOT MARKING TOOL

14 UNDER § 9–308.2 OF THIS SUBTITLE.

(II) A VOTER WHO REQUESTS PERMANENT ABSENTEE BALLOT

16 STATUS MAY NOT CHOOSE TO RECEIVE AN ABSENTEE BALLOT BY INTERNET FOR
17 MORE THAN ONE ELECTION CYCLE.

18 (e) A voter who uses the online absentee ballot application to request permanent
19 absentee ballot status or who uses any method to request to receive a blank absentee ballot
20 through the Internet shall provide the information required under § 9-305(b) of this
21 subtitle.

22 (f) A voter who submits a proper request for permanent absentee ballot status
23 shall be placed on the permanent absentee ballot list.

24 (g) (1) During the period beginning 120 days before an election and ending 90
25 days before the election, the State Board shall send a written communication to each voter
26 who is on the permanent absentee ballot list using the method chosen by the voter under
27 subsection [(d)(2)] (D)(1)(II) of this section.

28 (2) The communication required under paragraph (1) of this subsection
29 shall include:

30 (i) confirmation that the voter is included on the permanent
31 absentee ballot list;

1 (ii) the address of the voter;

2 (iii) the method by which the voter has chosen to receive an absentee
3 ballot; and

4 (iv) a statement that the voter must notify the local board if any of
5 the changes listed in subsection (j) of this section have occurred.

6 **(3) FOR EACH VOTER WHO HAS CHOSEN TO RECEIVE AN ABSENTEE
7 BALLOT BY INTERNET UNDER SUBSECTION (D)(1)(I) OF THIS SECTION, THE
8 COMMUNICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT IS
9 SENT TO THE VOTER FOR THE ELECTION FOLLOWING THE ELECTION CYCLE FOR
10 WHICH THE VOTER RECEIVED AN ABSENTEE BALLOT BY INTERNET SHALL REQUIRE
11 THE VOTER TO CHOOSE A DIFFERENT METHOD FOR RECEIVING AN ABSENTEE
12 BALLOT FOR THE NEXT ELECTION CYCLE.**

13 **[(3)] (4)** If the State Board is unable to contact a voter using the method
14 of communication chosen by the voter under subsection **[(d)(2)] (D)(1)(II)** of this section,
15 the State Board shall attempt to contact the voter using another method.

16 **[(4)] (5)** If the communication required under paragraph (1) of this
17 subsection is sent by mail, the envelope shall include a statement, prominently placed,
18 requesting that the recipient return the communication to the State Board if the intended
19 recipient no longer lives at that address.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 January 1, 2027.