

**Department of Legislative Services**  
Maryland General Assembly  
2026 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 964 (Delegate Grammer, *et al.*)  
Government, Labor, and Elections

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**Secure the Vote Act of 2026**

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This bill requires the State Board of Elections (SBE) to adopt regulations requiring proof of U.S. citizenship for voter registration and to establish a photo identification program available at any public library statewide. To vote in person, an individual must present a valid government-issued photo identification or a voter notification card with a specified supporting document. The bill limits absentee (mail-in) voting to specified qualifying circumstances and requires verification of a voter’s signature on the ballot envelope. The bill also (1) eliminates ballot drop boxes; (2) requires SBE to audit the statewide voter registration list before each primary election; and (3) requires SBE to establish and oversee uniform election standards for municipal elections. **The bill takes effect June 1, 2026.**

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**Fiscal Summary**

**State Effect:** General fund expenditures are expected to increase, likely significantly, beginning in FY 2027, as discussed below.

**Local Effect:** Local government expenditures are expected to increase, likely significantly, beginning in FY 2027, as discussed below. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Minimal.

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## Analysis

### Bill Summary:

#### *Proof of Citizenship and Identification Requirements*

##### *Proof of Citizenship*

The bill requires SBE to adopt regulations establishing a process through which an individual who applies to register to vote through a method authorized by law (described under current law) must provide documentary proof that the individual is a citizen of the United States. An individual may not become registered to vote until the individual provides the documentation of citizenship required by regulations adopted under the bill.

##### *Photo Identification Program*

The bill requires SBE to establish a program to issue photo identification for voting purposes to a resident of the State on request. The photo identification issued under the bill satisfies the identification requirement for voting in person at a polling place. SBE must allow individuals to obtain the photo identification at any public library in the State. SBE and each county public library system must collaborate to operate the program. SBE may adopt regulations to carry out the requirement.

##### *In-person Voter Identification Requirements*

The bill requires that each individual seeking to vote in person prove the individual's identity by presenting to an election judge (1) a valid government-issued photo identification, including photo identification issued under the bill (at a public library) or (2) the voter's voter notification card and a current utility bill, bank statement, government check, paycheck, or other government document that states the voter's name and current address. A voter who is unable to provide the allowable forms of identification must vote a provisional ballot.

##### *Post-Election Reporting Requirements*

The bill requires SBE, promptly following each statewide election, to publish a report on its website that includes the number of (1) voters who provided identification at a polling place; (2) voters who cast a provisional ballot and subsequently provided identification to the local board, resulting in the provisional ballot being counted; and (3) voters who cast a provisional ballot and subsequently failed to provide identification to the local board, resulting in rejection of the provisional ballot.

### *Voter Registration List Maintenance*

The bill requires SBE, before each statewide primary election, to conduct a comprehensive audit of the statewide voter registration list. The audit must seek to detect and remove from the statewide voter registration list: (1) duplicate registrations; (2) deceased individuals; (3) nonresidents of the State; and (4) individuals who are not citizens of the United States. The audit must include identifying individuals who are not citizens of the United States on the statewide voter registration list by reviewing data from the jury commissioners on individuals who report to the jury commissioners that they are not citizens of the United States.

The audit must be completed at least 90 days before each statewide primary election. Promptly after the conclusion of each audit, SBE must publish on its website a report describing the results of the audit, including the number of voter registration records investigated, updated, and removed.

### *Absentee (Mail-in) Voting*

#### *Absentee Ballot Eligibility Requirements*

The bill limits an individual's ability to vote by absentee ballot by allowing an individual to vote by absentee ballot only if the individual is unable to vote in person due to one or more of the following circumstances: (1) absence from the State; (2) illness or physical disability; (3) religious observance; (4) pregnancy; (5) caregiving to another individual; (6) jury duty; (7) incarceration; (8) service in the uniformed services; (9) participation in the political process; or (10) dislocation due to a natural disaster or other emergency.

The bill requires a request for an absentee ballot to include a signed oath affirming that the voter qualifies to vote by absentee ballot.

#### *Elimination of Permanent Absentee Ballot List*

The bill repeals provisions establishing the ability of voters to request permanent absentee ballot status, be placed on the permanent absentee ballot list, and receive an absentee ballot for each election without having to make further requests for an absentee ballot.

#### *Voting by Mail in Special Elections*

The bill repeals Title 9, Subtitle 5 (sections 9-501 through 9-507) of the Election Law Article which authorizes (and governs) voting by mail in special elections held separately from regularly scheduled primary or general elections.

### *Absentee Ballot Signature Verification*

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

The bill prohibits a local board from removing an absentee ballot from the return envelope or ballot/return envelope or counting the ballot unless (1) the return envelope or ballot/return envelope is signed by the voter to whom the ballot was issued and (2) the voter's signature is verified. Each local board must 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 SBE.

### *Elimination of Ballot Drop Boxes*

The bill prohibits the use of a ballot drop box to return an absentee ballot to a local board of elections and removes the definition of "ballot drop box" from State law.

The bill also eliminates the use of ballot drop boxes by repealing the following statutory provisions relating to ballot drop boxes:

- *Ballot drop box required in Baltimore City centralized booking facility* – Section 2-501 of the Correctional Services Article and § 1-303.1 of the Election Law Article generally require the Baltimore City centralized booking facility to provide a secure, designated ballot drop box, from SBE, to eligible voters so that they may easily submit absentee ballot applications, absentee ballots, and voter registration forms to SBE or a local board of elections;
- *Local board of elections election plan requirement* – Under §§ 2-303.1, 2-304, and 2-305 of the Election Law Article, a consolidated election plan submitted by a local board of elections to SBE for approval must include a ballot drop box plan, including proposed locations of ballot drop boxes in the county, and specified requirements must be followed regarding security measures for, and removal of election-related materials from, the ballot drop boxes;
- *Student voting plan requirement at each public institution of higher education* – Section 3-204 of the Election Law Article requires that a student voting plan – developed and implemented by the student voting coordinator at a public institution of higher education to increase student voter registration and voting – include, among other things, reasonable accommodation and collaboration with the local board regarding ballot drop box siting;

- *Offenses related to ballot drop boxes* – Under § 16-206 of the Election Law Article, a person may not (1) canvass, electioneer, or post any campaign material in a manner that obstructs access to a ballot drop box or (2) place any campaign material or any other authorized material on a ballot drop box.

## *Municipal Elections*

### *Uniform Election Standards*

The bill requires SBE to adopt regulations establishing uniform standards for the conduct of municipal elections. The regulations must be substantially similar to the statutes and regulations that govern State elections, modified as necessary and appropriate for municipal elections. The regulations must include (1) voter identification requirements for in-person voters; (2) voter registration list maintenance; (3) ballot security and chain of custody procedures; and (4) election audits. SBE must conduct oversight of municipal elections to ensure compliance with these regulations.

### *Voter Eligibility and Registration*

This bill requires each municipality to require voter registration for its elections. Additionally, the bill prohibits an individual from becoming registered to vote in a municipal election if the individual is not a citizen of the United States.

## **Current Law:**

### *Voter Eligibility and Registration*

#### *Registering to Vote*

Under State law, with certain exceptions, an individual may register to vote if the individual is a citizen of the United States, is at least age 16, and is a resident of the State as of the day the individual seeks to register.

However, an individual under the age of 18 who is registered to vote may not vote except in a primary election in which candidates are nominated for a general or special election that will occur when the individual is at least age 18.

An individual may apply to become a registered voter through a number of means including (1) visiting an election board office; (2) by mail; (3) when applying for services at a voter registration agency (specified public and nongovernmental agencies designated by SBE, including agencies providing public assistance and services for individuals with disabilities, public higher education institutions, military recruiting offices, and one-stop

career centers in the Maryland Department of Labor); (4) during an applicable transaction at automatic voter registration agencies, which are the Motor Vehicle Administration, the Maryland Health Benefit Exchange, local departments of social services, and the Mobility Certification Office in the Maryland Transit Administration; (5) through SBE's online voter registration system; or (6) at an early voting center or an Election Day polling place in their county of residence.

### *Voting in Person*

For each individual who seeks to vote in person, an election judge has to:

- locate the voter's name in the election register or inactive list;
- establish the voter's identity by requesting that the voter state their month and day of birth and comparing the response to the information in the election register;
- verify the address of the voter's residence, unless the voter's personal information has been deemed confidential by the local board of elections, in which case an alternative verification method, established by SBE, must be conducted; and
- have the voter sign a voting authority card.

Upon completion of those procedures, a voter is entitled to vote a regular ballot. If a voter's name is not found on the election register or the inactive voter list, the voter is referred to vote a provisional ballot.

### *Statewide Voter Registration List*

A voter's name is placed into inactive status on the statewide voter registration list if they fail to respond to a specified confirmation notice regarding a change of address. An inactive voter who fails to vote in an election in the period ending with the second general election must be removed from the statewide voter registration list.

A voter must be restored to active status on the statewide voter registration list after completing and signing any of the following election documents: (1) a voter registration application; (2) a petition governed by Title 6 of the Election Law Article; (3) a certificate of candidacy; (4) an absentee ballot application; or (5) a written affirmation of residence completed on Election Day to entitle the voter to vote either at the election district or precinct for the voter's current residence or the voter's previous residence, as determined by SBE.

State law provides for specified information to be reported to SBE, or for the State Administrator of Elections to make arrangements for reporting of information, to assist in maintenance of the statewide voter registration list – including information from

the Maryland Department of Health, regarding deceased individuals, and from the Judiciary, regarding individuals incarcerated for a felony.

### *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 10:00 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.

### *Election Plan Requirement*

At least seven months before each statewide primary election, each local board of elections must submit an election plan to SBE for approval that includes a polling place plan, an early voting center plan; a ballot drop box plan, and an analysis of how to maximize voter participation in the county and each precinct.

The ballot drop box plan must include the proposed location of each ballot drop box in the county and use the following factors when determining the location of a ballot drop box:

- the accessibility of the ballot drop box to historically disenfranchised communities, including voters with disabilities, cultural groups, ethnic groups, and minority groups;
- proximity of the ballot drop box to dense concentrations of voters;
- accessibility of the ballot drop box by public transportation; and
- equitable distribution of ballot drop boxes throughout the county.

### *Ballot Drop Box*

“Ballot drop box” is defined as a secure, durable, and weatherproof container that is officially designated by a local board or SBE exclusively for voters to deposit election-related materials in person, including absentee ballots, absentee ballot applications, and voter registration applications.

## *Ballot Drop Box Required in Baltimore City Centralized Booking Facility*

The Baltimore City centralized booking facility must:

- provide a secure, designated ballot drop box from SBE to eligible voters so that they may easily submit absentee ballot applications, absentee ballots, and voter registration forms to SBE or a local board of elections;
- monitor the ballot drop box 24 hours a day and 7 days a week; and
- disseminate written notifications directly to each eligible voter on how and when to use the ballot drop box.

“Eligible voter” means an individual who is incarcerated at the Baltimore City centralized booking facility and has the right to vote under State law.

SBE must provide the Baltimore City centralized booking facility with the ballot drop box and written notification materials to disseminate to eligible voters and advice and guidance in carrying out these requirements. The Baltimore City centralized booking facility must cooperate fully with SBE in implementing these requirements. SBE must pay for the ballot drop box.

SBE must adopt regulations in collaboration with the Department of Public Safety and Correctional Services to provide the ballot drop box and written notifications. SBE must provide the ballot drop box to the Baltimore City centralized booking facility in time to allow eligible voters sufficient opportunity to submit election-related materials before any election-related deadlines.

The local board of elections for Baltimore City must provide staff to collect (1) election-related materials submitted to the ballot drop box on at least a weekly basis and (2) the ballot drop box after an election-related deadline. The local board must distribute the election-related materials collected from the ballot drop box to SBE or another local board, as appropriate and in a timely manner.

By January 1 each year, the local board of elections for Baltimore City must submit a report to specified legislative committees on the election-related materials submitted to the ballot drop box, specifically (1) the number of absentee ballot applications received and accepted; (2) absentee ballots received and accepted; and (3) other election-related materials received. The information must be disaggregated by each weekly collection from the ballot drop box and by SBE or the local board that is the intended recipient of the materials.

### *Student Voting Plan*

Chapters 656 and 657 of 2021 require a public institution of higher education to develop and implement a student voting plan that includes, among other things, (1) wide dissemination of information about voter registration and voting opportunities to all students; (2) provision of voter registration materials at central locations and high-traffic areas on campus; and (3) reasonable accommodation and collaboration with the local board of elections regarding, among others, ballot drop box siting.

### *Offenses Relating to Elections Equipment, Supplies, and Ballots*

Title 16 of the Election Law Article prohibits various actions relating to elections equipment, supplies, and ballots, including:

- canvassing, electioneering, or posting any campaign material in a manner that obstructs access to a ballot drop box; and
- placing any campaign material or any other unauthorized material on a ballot drop box.

### *Municipal Elections*

State election law governs the administration of federal, State, county, and Baltimore City elections held during statewide elections every two years, and special elections, but generally does not govern municipal elections other than those in Baltimore City (which is considered a “county” for purposes of State law). Municipal elections are primarily governed by each municipality’s law and occur at various times throughout the year and in odd- and even-numbered years.

While State law governing elections generally does not apply to municipal elections, there are certain provisions of State law that address municipal elections, including those that (1) prohibit a municipality from requiring an individual to own or control an interest in property to participate in an election or hold office in the municipality; (2) allow a municipality to use the information in the statewide voter registration database to administer voter registration for its elections; (3) allow a municipality to request that SBE include the offices and questions to be voted on in a municipal election on the statewide ballot (within the municipality) during a statewide election; (4) require municipalities to allow no-excuse absentee voting (mail-in voting) in municipal elections; (5) make State voting-related offenses (*e.g.*, voting more than once, voter intimidation) and associated criminal penalties applicable to municipal elections; (6) require municipalities to submit their election results to SBE to publish on the SBE website; and (7) authorize the State Administrator of Elections to enter into a memorandum of understanding (MOU) with a municipality to support the administration of the municipality’s election and lease a

voting system or any other equipment used to administer an election to the municipality for use in a municipal election in accordance with the MOU.

**State and Local Fiscal Effect:** State general fund and local government expenditures are expected to increase, likely significantly, beginning in fiscal 2027, to implement the bill. The full extent of the increase in expenditures cannot be reliably estimated at this time. The bill modifies the manner in which elections are administered in the State primarily by:

- eliminating broad use of mail-in voting – moving a considerable portion of the electorate from voting a mail-in ballot (*e.g.*, 25% of voters in the 2024 general election) to voting in person, during early voting or on Election Day;
- increasing proof of citizenship, identification, and verification requirements associated with registering to vote and voting; and
- establishing State oversight over municipal elections.

These changes reduce or eliminate certain costs - but increase others. Based on indications from SBE and certain local boards, the bill is expected to result in a likely significant net increase in costs for the State and local governments. For context, the significant majority of fiscal impacts of these changes appear to fall in the following categories:

- *Reduced costs associated with sending mail-in ballots to voters and elimination of costs of administering ballot drop boxes* – The elimination of no-excuse mail-in voting significantly reduces costs of sending (*e.g.*, printing, postage) mail-in ballots to voters and eliminates costs of transporting and maintaining (*e.g.*, security measures, ballot removal) ballot drop boxes.
- *Increased costs associated with in-person voting* – Additional resources (primarily election judges and pollbooks) are expected to be needed for in-person voting, both to manage additional in-person voters who no longer can vote a mail-in ballot and to manage the bill’s voter identification requirement (which is expected to increase the number of voters who need to vote a provisional ballot, due to not having sufficient identification). In-person voting costs for special elections will considerably increase due to the elimination of the authority for vote-by-mail special elections (offset by reduced costs of sending vote-by-mail ballots).
- *Uncertain net impact on local board of elections canvassing costs* – Local boards of elections will need to canvass (process and count) (1) fewer mail-in ballots due to the elimination of no-excuse absentee voting, but will need to verify the signatures on those ballots, and (2) more provisional ballots due to the voter identification requirement.
- *Costs of modifications to election systems* – Significant modifications are expected to be needed in election systems managed by SBE, including the voter registration and voter services systems, associated with several provisions of the bill.

- *Voter education costs* – A significant voter education campaign is expected to be needed to ensure voters are aware of the changes the bill makes, particularly eliminating no-excuse mail-in voting and the voter identification requirements.
- *Other increases in personnel and other administrative costs* – Other administrative costs are expected to be incurred at the State and local levels, including those associated with the photo identification program at public libraries, SBE’s oversight of municipal elections, and modification of various procedures and documentation.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel, Baltimore, Charles, and Garrett counties; Department of Public Safety and Correctional Services; Maryland State Library Agency; Maryland State Board of Elections; Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2026  
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