

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1066 (Delegate Lehman, *et al.*)
Government, Labor, and Elections

Municipal Elections - Qualified Electronic Transmission Systems - Authorization
for Use

This bill authorizes a municipality to conduct a municipal election through the use of a qualified electronic transmission system. A municipality may not use information received from a voter using a qualified electronic transmission system in a municipal election for any purpose other than election administration and voter participation statistics. “Qualified electronic transmission system” means an electronic transmission system through which a qualified voter may receive, mark, and return a ballot and that maintains reasonable data security and voter integrity protections, including (1) security auditability; (2) end-to-end encryption; (3) end-to-end verifiability; (4) multifactor authentication; (5) air-gapping; (6) a process for printing decrypted ballots to create a paper record; and (7) biometric or equivalent digital identity verification technologies. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: The bill is not expected to materially affect State operations or finances.

Local Effect: To the extent municipalities use the authority under the bill, municipal expenditures are expected to increase, as discussed below. No impact on local revenues.

Small Business Effect: Minimal.

Analysis

Current Law:

Applicability of State Election Law to 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) allow a municipality to use the information in the statewide voter registration database to administer voter registration for its elections; (2) allow a municipality to request that the State Board of Elections (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; (3) require municipalities to allow no-excuse absentee voting (mail-in voting) in municipal elections; (4) require municipalities to submit their election results to SBE to publish on the SBE website; and (5) 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 the municipal election in accordance with the MOU.

Absentee Voting in Municipal Elections

A qualified voter may vote in a municipal election by absentee ballot. A municipality must provide a procedure to vote by absentee ballot and may not require an individual to provide a reason that the individual will be unable to vote in person on Election Day in order to vote by absentee ballot. A municipality may use any method to enable absentee voters to vote, including using any facilities to transmit and receive applications for absentee ballots.

Local Expenditures: Municipal expenditures are expected to increase in jurisdictions that use the authority under the bill to procure a qualified electronic transmission system for use in municipal elections. However, the extent of any increase cannot be reliably estimated, as it depends on the vendor selected, the system procured, and whether the system is purchased or licensed.

For context, based on communication with a jurisdiction in Alaska that allows voters to mark and return a ballot by secure document portal, costs for an annual license may range from approximately \$5,000 to \$10,000.

Additional Information

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

Designated Cross File: SB 727 (Senators Lewis Young and Brooks) - Education, Energy, and the Environment.

Information Source(s): Maryland Municipal League; Town of Bel Air; City of Anchorage, AK; Department of Legislative Services

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