



HB 398: Election Law – Time Off for Employee Voting

The League of Women Voters supports an election system that protects all citizens' right to vote, increases voter participation, and is equitable and accessible. Maryland has moved forward on all these fronts in the past decade, and this bill updates the existing law (§10-315) to reflect those changes. The bill further safeguards the right to vote by prohibiting discrimination or retaliation against an employee for taking time off under this bill.

The current law requires employers to provide up to two hours' paid time off on election day for employees who are registered Maryland voters and would otherwise lack sufficient time for voting on a workday. This should be amended for three reasons.

First, Maryland has offered early voting since 2012 and it is a popular choice for many voters. The bill recognizes this new multi-day option by changing the reference to voting on election day to voting "in an election."

Second, Maryland now offers same-day registration, so an employee who isn't already registered can still go to a polling place and cast a ballot. Before 2016, this wasn't possible. Therefore, it's appropriate to remove the phrase "who claims to be a registered voter."

Third, although all Maryland polling places make available an official form to use as proof of voting, many people who work in Maryland are residents of adjacent states or the District of Columbia and thus unable to obtain this form. The bill would make this requirement more flexible by specifying that the employee shall furnish "in a timely manner reasonable proof" of voting or attempting to vote.

The League of Women Voters of Maryland supports the passage of HB 398.