



**Testimony for the House Ways and Means Committee
January 26, 2021**

**HB 341 Election - Absentee Ballot Canvass
Start and Release of Tabulation**

FAVORABLE

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The ACLU of Maryland urges a favorable report on HB 341, which allows local election boards to tabulate absentee ballots 14 days prior to election day while withholding the release of the tabulation until election day.

Navigating elections in the midst of a global pandemic has presented challenges and concerns surrounding election integrity and security. The measures proposed in HB 341 help move Maryland toward free, fair, and transparent elections.

Absentee voting has been an important resource for many Marylanders—in November 2012 more than 150,000 people¹ voted via absentee ballot. In 2016, that number rose to 175,374.² As a consequence of the global pandemic, over 1.5 million Marylanders took the opportunity to vote by mail to protect their personal health and safety.³ Given the increased use of absentee and mail-in ballots, local election boards should be accommodated for the influx by tabulating votes ahead of election day. This will allow for the timely and prompt release of election results.

HB 341 provides guidance on the release of election results concerning absentee ballots. Withholding unofficial counts of absentee ballots until election day ensures Maryland voters that results will not be leaked, certifying a commitment to integrity and fairness.

It should be noted that this legislation does carry with it a criminal penalty. The ACLU of Maryland is not advocating for this or any other criminal penalty. We caution the committee against enacting criminal penalties, which tend to disparately impact people of color and poor communities.

For the foregoing reasons, the ACLU of Maryland supports HB 341.

¹ https://elections.maryland.gov/press_room/index.html

² Id.

³ Id.

