



TESTIMONY TO THE HOUSE WAYS AND MEANS COMMITTEE

HB 629 – Election Law – Polling Places and Early Voting Centers – Electronic Devices

POSITION: Informational Only

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The League of Women Voters of Maryland, a nonpartisan organization with 1500 members statewide, advocates for fair and accessible elections that are feasible to implement. The purpose of this informational testimony is to provide additional context as you consider House Bill 629.

There are pros and cons to allowing the use of cellphones and other electronic devices in polling places. Currently, regulations prohibit the use of such devices, with very few exceptions. The rules are the same for early voting (COMAR 33.17.06.04) and for Election Day (COMAR 33.07.04.02).

Allowing this use could increase voter satisfaction. Electronic devices can help occupy an adult or a child while waiting in line. For some voters, a polling place “selfie” is the modern-day version of an “I Voted” sticker. They’re proud of their civic engagement and want to capture the moment. Accordingly, some polling places have set up official “selfie walls” *outside* the main room for this purpose.

A more substantive argument for cellphone use is paperless information access. Same-day registration (SDR) requires showing a utility bill or similar proof of residency. These days many people receive those documents only in electronic form. Similarly, not everyone brings a printed sample ballot or written list of how they plan to vote. In practice, though, SDR judges may briefly step outside the polling room to view a utility bill on someone’s phone. Voters wanting to consult their phone for ballot choices are often given paper and pen, told to step outside and make notes, then return to the front of the line.

However, the potentially serious downsides of allowing the use of electronic devices include justifiable concerns about security and privacy. Allowing photography (other than by authorized media representatives) could intimidate voters worried about polling place surveillance or voter suppression. And although the bill would permit a voter to photograph their *own* ballot, there’s no way to prevent a bad actor from surreptitiously capturing an image of another voter’s ballot or Voter Authority Card (VAC). The VAC shows the voter’s name, address, date of birth, party affiliation, voter ID number, and other personal information. Polling places don’t have enough staff for monitoring and enforcement, particularly if only certain uses are to be allowed.

Another risk is harassment of election workers, especially if polling place interactions are live-streamed or recorded on video. A simple technical glitch or miscommunication could rapidly escalate into a threatening situation. Unfortunately, this risk is not theoretical, even in Maryland.

The League of Women Voters of Maryland urges you to take these factors into consideration when evaluating the provisions of HB 629.