



Maryland Association of Election Officials

Representing the Local Election Boards of the State of Maryland

March 27, 2023

Sen. Brian E. Feldman, Chair
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: HB410 - Oppose

Senator Feldman and Committee Members:

My name is Katherine Berry. I am the Election Director in Carroll County and the chair of the Maryland Association of Election Officials (MAEO) Legislative Committee. MAEO represents the local boards of elections throughout the State of Maryland. I am writing today representing MAEO to oppose HB410 – Election Reform Act of 2023 as amended during the Ways and Means Committee conference.

HB410, as amended, introduces an entire series of concerns from stripping local board authority to a massive local fiscal impact. Most notably, an off-topic amendment was added, completely changing the bill's intended focus. This amendment adds a requirement that the total number of separate buildings used as polling places be no greater than 5% below the total number of separate buildings used as polling places in the 2018 general election. This is extremely problematic for many reasons:

The amendment **uses a template of a pre-pandemic year to face the post-pandemic reality**. This bill mandates the use of 2010 Census data to address the needs of the 2020 Census and fails to account for the current reality. It overlooks the impact of precinct line changes resulting from the 2020 Census, which has led to **difficulties in finding suitable public spaces** that comply with security, ADA standards, and space requirements. Moreover, some counties face additional challenges such as closures of schools, fire departments, and senior living communities due to COVID-19, parking, and security issues.

Maryland has **improved voting opportunities** with its expanded mail-in ballot system and offers robust in-person early voting opportunities. Strict adherence to “precinct polling place” requirements using numbers from 5 years ago robs our local boards of the needed flexibility we rely upon to address **strained resources** and inclement situations.

The requirements of this bill **take away local control that has been entrusted to the Board Members** of each local board who were appointed by the Governor. The members of the board are expected to have an understanding of the needs and makeup of their counties in order to approve what they feel is best for their voters. All board members work closely with their Election Directors during redistricting so that they can approve a map that is fair to the voters and administratively sound for meeting all requirements involved with managing a polling place.

The proposed requirements for polling place plans are onerous and involve a lengthy process during the run-up to an election while our resources are spread thin **without any appropriation for additional funding**. Local boards of elections are estimating that **it could take months to prepare a report on polling places** if their county is less than 5% variance for approval by the State Board of Elections. Some of the required information is not as readily available to provide in the report. If circumstances beyond the control of the local board occur, such as building availability, inability to recruit judges or insufficient resources, a county may **find itself non-compliant through no fault of their own**.

Given that voters have recently experienced a general election where some were reassigned to a new polling place due to redistricting, it is our recommendation that this committee allow these voters to continue voting at their current polling location until the next redistricting process in 2031. It is imperative to avoid the potential complications that may arise if we are forced to rely on the polling place guidelines from 2018 during the next redistricting cycle. We urge the committee to carefully consider this suggestion and take necessary action to ensure the integrity of our election system. Immediate action to table this bill should be taken for the voters in the State of Maryland. If not, polling places that we are required to add will cause voter confusion, polling places across the State will not open because of a lack of election judges, and the trust that we have fostered in the process will be shattered.

MAEO supported the original intention of this bill that would have fixed a possible exploit in the PIA process that would impair the board's ability to prepare for an election, but unfortunately, this was amended out.

Thank you for your time. If you have any questions, please contact me at (410)386-2958 or Katherine.berry@maryland.gov.

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