

BENJAMIN BROOKS
Legislative District 10
Baltimore County

Education, Energy, and the
Environment Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 303
Annapolis, Maryland 21401
410-841-3606 • 301-858-3606
800-492-7122 Ext. 3606
Benjamin.Brooks@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

District Office
Windsor Mill Office
8419 Liberty Road, Suite B
Windsor Mill, Maryland 21244
410-496-4037

TESTIMONY IN SUPPORT OF SB488
Election Law- Electronic Ballot Return System – Study and Request for Proposals

Education, Energy and the Environment Committee
February 24, 2023

Chair Feldman, Vice-Chair Kagan and Members of the Committee,

Thank you for the opportunity to testify before you on SB488, Election Law - Electronic Ballot Return System - Study and Request Proposals. The purpose of this bill is to have the Department of Legislative Services (DLS) conduct a study on the creation of an electronic ballot return system and require the State Board of Elections to issue a request for proposals for the implementation of an electronic voting return system. If there is a way to make participation in the electoral process easier and more accessible for our constituents, I believe it is our duty as elected officials to explore all possibilities.

Maryland gives its voters many options when casting their ballot. Individuals can vote in person, vote by mail, or vote by absentee ballot. However, members of the military serving overseas and citizens with disabilities are limited by the ballot return systems currently available. An online electronic ballot return system could improve voting accessibility for disabled, overseas, and absent uniformed services voters. Maryland voters can already fill out their absentee ballots online, but to return the ballot, they must print, sign, and mail their ballot to the State Board of Elections. A study of allowing voters to return their ballots online would act to close the loop of Maryland's electronic ballot process.

In studying the creation of an electronic ballot return system, the DLS would work closely with experts representing disability rights groups and military communities to adequately address their concerns. Through the current process of returning electronic ballots, blind voters lose their right to ballot secrecy, and overseas voters risk their ballot being lost or not returned in time. I would ask members of the committee: How are the results of this inadequate system different from the denial of a voter's civil rights? As a veteran myself, I believe we should make the fulfillment of civic duties as easy as possible for those that have already gone above and beyond their duties as citizens. It is inexcusable that the voices of our service members may never be heard simply because their ballot was not delivered on time.

Security concerns may be the first thing that comes to mind upon hearing this proposal. This is of concern to me as well, which is why I believe it is important to study the implementation and vendors of electronic ballot return technology prior to its deployment. Thirty-one states, Washington, D.C., and the Virgin Islands allow certain voters to return voted absentee/mail ballots electronically, via fax, email, or online portal. Twelve of these states allow their voters to submit their ballot online: Colorado, Delaware, Hawaii, Louisiana, Maine, Massachusetts, North Carolina, North Dakota, Rhode Island, Utah, and West Virginia. Recent developments in cybersecurity, such as end-to-end encryption and blockchain systems, are encouraging and would provide online voting with much more security than email and fax. On the other hand, ballot returns over fax and email lack security and are vulnerable to phishing or impersonation by bad actors.

I think members of the committee will agree with me in saying that an online ballot return system has too much merit to not be considered, but the potential security risks to voter information and our elections warrant a comprehensive study.

For these reasons, I am requesting a favorable report.

With kindest regards,



Benjamin Brooks