

Subject: Favorable with Amendments SB802 Accessible Electronic Ballot Return System for Voters

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To: Senate Education, Energy, and Environment Committee

From: Members of the National Federation of the Blind of Maryland

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## **THE PROBLEM**

The current by mail ballot return process in Maryland is a paper-based system that discriminates against blind voters and those with other print disabilities. Maryland's system strips these voters of their right to vote privately and independently and has the impact of disenfranchising voters.

## **PROPOSED ACTION**

The Senate Education, Energy, and Environment Committee must pass the amended version of SB802 that requires the Maryland State Board of Elections to establish an accessible electronic ballot return process for voters with disabilities for use beginning the 2026 primary election.

## **BACKGROUND**

Maryland voters have many choices when casting their ballot. They may vote in person or vote by mail. Voters may submit a permanent request so that they automatically receive a by mail ballot each election. After the ballot is submitted, the election officials can inform the voter that their ballot was received by the Board of Elections in several ways. The voter selects these methods of contact and can even be notified by text message. While these technological advances have improved the voting process, more needs to be done in order to ensure all voices are heard. For example, the state of Maryland lacks an accessible electronic ballot return system, requiring blind and low-vision voters and those with print disabilities to need assistance printing, signing and certifying, and mailing in or dropping off their ballots. As a result, the voter's privacy and independence are compromised, meaning others see the voter's choices and can even alter the voter's selections without their knowledge.

People with print disabilities must return their ballots at the cost of losing privacy and ballot secrecy. The ballots can be marked online but must be printed and signed before it can be sent by mail or dropped in a ballot box. Many people have no access to a printer, so they must have someone else print their ballot. They require assistance from another person in finding where to sign their ballot and preparing it for delivery by mail or by drop box. Those who assist them are able to see — and even alter — for whom the voter voted, which is inconsistent with voter privacy and independence principles and compromises the security of these voters' ballots.

Thirteen states currently have electronic ballot return systems in place for voters with disabilities, including: Alaska, Colorado, Delaware, Hawaii, Indiana, Louisiana, Maine, Massachusetts, North Carolina, North Dakota, Rhode Island, Utah, and West Virginia. In addition, 33 states and territories offer electronic ballot return for military and overseas voters, including: Alabama, Alaska, Arizona, California, Colorado, Delaware, District of Columbia, Florida, Hawaii, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, Texas, Utah, Virgin Islands, Washington, and West Virginia.

Opponents of electronic ballot return cite security concerns as the reason why Maryland should not establish such a system. However, 33 states and territories operate such a system, some of them for well over a decade, and there have been no security breaches. Moreover, voters with disabilities who cannot, without assistance, read, sign, certify, or submit a paper ballot due to their disabilities are themselves vulnerable to having their ballots changed without their knowledge or consent; consequently, forcing people with disabilities to vote by paper achieves the same vulnerability for disabled voters in terms of security that opponents argue is the obstacle to implement such a system. In fact, electronic ballot return is far more secure for voters with disabilities than paper ballots because safeguards will be in place to prevent outside interference with those ballots.

## **CONCLUSION**

In order to ensure voters with disabilities have access to a private, independent, and secure ballot, the Maryland General Assembly must pass legislation directing the Maryland State Board of Elections to establish an accessible electronic ballot return system for use beginning the 2026 primary election. The amended version of SB802 also requires that the Maryland State Board of Elections issue regulations that will create an electronic return media and the necessary envelope to mail in this media. This will remedy the security concerns, lack of privacy and independence that such voters face when using the vote by mail process. It will also resolve the lack of security that these voters face due to the number of hands and eyes to which their ballots are exposed during the printing, signature and certification, and submission process. Maryland cannot sacrifice disabled voters' civil rights based on some nebulous, unproven, and overblown fear about security. Please vote in favor of the amended HB775 and show your support for the civil rights of persons with disabilities.

