

CHERYL C. KAGAN  
Legislative District 17  
Montgomery County

—  
*Vice Chair*  
Education, Energy, and  
the Environment Committee

—  
Joint Audit and Evaluation Committee  
Joint Committee on Federal Relations



Miller Senate Office Building  
11 Bladen Street, Suite 2 West  
Annapolis, Maryland 21401  
301-858-3134 · 410-841-3134  
800-492-7122 Ext. 3134  
Fax 301-858-3665 · 410-841-3665  
Cheryl.Kagan@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**SB115: Recount Law Revisions**

Ways & Means Committee

March 19, 2024: 1:00 PM

[SB115](#) is an emergency bill to update and clarify Maryland's recount laws. In recent years, there have been a number of extraordinarily close elections that required recounts, including Baltimore County Executive (2018) and Montgomery County Executive (2018 and 2022).

This bill will modify our recount procedures by allowing petitioning candidates to select from the following:

- Using tabulating equipment approved by the State Board of Elections;
- Manually recounting the voter-verifiable paper records; or
- Utilizing any other recount method approved by the State Administrator.

This removes the current option for conducting a recount solely by a manual tabulation of **printed reports** from Early Voting, Election Day, and the mail-in and provisional ballot canvasses.

Additional changes are necessary to take into account the increasing number of voters who print their ballots at home and return them by mail. During the tallying, these home-printed ballots must be manually duplicated by bipartisan teams onto a traditional ballot in order to be counted using current machinery. There is no requirement for Local Boards of Elections to store original, home-printed ballots with the copies manually created by bipartisan teams during the tally. Nor is there a directive to examine both the original and duplicated ballot during a recount.

SB115 clarifies these issues by:

- Ensuring that original ballots are stored with duplicates; and
- Stipulating that both ballots must be examined in the case of a manual recount;
- Providing that in the case of a manual recount, the voter-verifiable paper ballot, not the copy, shall be counted; and
- Explaining that for automated recounts, both the copy and the original must be examined by the Local Board of Elections. If the copy and the original agree, the copy

may be used in the automated recount. If the two disagree, then the LBE must manually count the original.

The changes made by this bill will increase trust in our recount system and avoid potential challenges or complaints.

This bill passed the Senate unanimously this year and in 2023.

**I urge a favorable report on SB115.**