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Disability Rights Maryland

Ways and Means

HB 775 – Election Laws-Voters with Disabilities-Electronic Ballot Return

February 20, 2024

Position: SUPPORT

Disability Rights Maryland **supports** HB 775 to create an electronic ballot return option in Maryland. Both voters with disabilities face barriers to the ballot that affect their participation in our elections. For voters with disabilities, this includes physical accessibility concerns that prevent access to an in-person voting experience from being unable to physically mark a ballot with a traditional writing utensil.

Currently, voters with disabilities can request a web-delivered ballot where a ballot will be sent to their email and allow them to mark their ballot through a computer or by hand. However, voters cannot send a marked ballot online. A voter must then print off their web-delivered ballot and return it by mail, at a drop box, or to their local board of elections. Allowing for the electronic submission of ballots for voters with disabilities expands voting opportunities for people with disabilities.

Currently, thirty-one states have some form of electronic ballot return, specifically for those in uniform abroad and voters with disabilities. Thirteen states have an electronic ballot return option specifically for persons with disabilities. West Virginia piloted this technology in their 2018 General Election specifically for 183 eligible voters abroad in 31 different countries. They received about 98% of the ballots with this technology and those ballots were counted.ⁱ In Denver used the technology in their 2019 Municipal Election for 156 eligible voters in. That election saw an 82% return rate for the pilot program compared to about 54% return rate of ballots in Colorado.ⁱⁱ These pilot programs underwent strict scrutiny from their state board of elections and Secretary of States to ensure security and privacy were not compromised in administration of electronic ballot return.

There is a benefit to voters with disabilities to use technology to increase participation in elections. For these reasons, Disability Rights Maryland urges a favorable report on SB 488. For any questions, please contact David Prater at davidp@disabilityrightsmd.org or 443-692-2500.

ⁱ [Under the hood \(wv.gov\)](http://www.wv.gov)

ⁱⁱ [Mobile-Voting-Audit-Report-on-the-Denver-County-Pilots-FINAL.pdf \(cyber-center.org\)](https://www.cyber-center.org/Mobile-Voting-Audit-Report-on-the-Denver-County-Pilots-FINAL.pdf)