



TESTIMONY TO THE SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE

SB 949 Election Law - Canvassing of Absentee Ballots - Preemption by Federal Judicial Action

Position – Support

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The League of Women Voters of Maryland was founded in 1920 on the heels of the 19th Amendment. Since then, the League has made it its mission to defend democracy and uphold the Constitution.

Since 2024, the federal administration has sought to disrupt and undermine elections. This has come in the way of executive orders, legislation in Congress, and a rampant spread of mis- and disinformation.

Additional disruption could occur if there is action to change the timing for when a mail-in ballot is received and still counted. In Maryland, mail-in ballots must be signed by the voter and postmarked no later than Election Day, but may be received by the second Friday after Election Day. If federal judicial action is taken to disallow the counting of ballots postmarked but received after Election Day, Maryland voters could have their full ballot discarded and lose all the votes they cast.

SB 949 seeks to provide relief in this case. If passed, the State Board of Elections would be able to canvass the ballots it receives on time, in accordance with state law, and count the state and local races. While not perfect, it does allow for some votes to be counted and for the voter to remain part of the democratic process.

SB 949 also mandates that the SBE Administrator undertake a campaign to inform voters to return their mail-in ballots promptly to avoid potential delays and ensure their vote is counted. The League agrees that public information is important and voters need to know if there is a change in their voting plans. LWVMD respectfully requests that funds be made available to SBE for this campaign.

LWVMD requests a favorable report on SB 949.