

SB0949 RichardKaplowitz\_FAV

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Richard Keith Kaplowitz  
Frederick, MD 21703

**TESTIMONY ON SB#0949- POSITION: FAVORABLE**

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

**TO:** Chair Feldman, Vice Chair Kagan, and members of the Education, Energy and the Environment Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#0949, **Election Law - Canvassing of Absentee Ballots - Preemption by Federal Judicial Action**

This bill is submitted in response to the Trump administration, despite US Constitution Article I, Section IV, Clause 1, attempts to assert Federal control of our elections.

1 “The Times, Places and Manner of holding Elections for Senators and Representatives, **shall be prescribed in each State by the Legislature thereof**; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.”

Votebeat has discussed what Trump is trying to do to take control he is not entitled to. *How many voters could be affected by earlier mail ballot deadlines? We ran the numbers. - New state laws, postmark changes, and a Supreme Court case could put thousands of ballots at risk of rejection.*<sup>1</sup>

President Donald Trump’s [sweeping attempts](#) to overhaul the way U.S. elections are run have mostly run into [dead ends in the courts](#). But his administration and allies have successfully tightened rules around at least one of his biggest pet peeves: the counting of mail ballots that are received after Election Day. Since the 2024 election, four states — all Republican-controlled — have changed their election laws so that they no longer accept mail ballots that arrive after Election Day. And while 14 states and Washington, D.C., still do so as long as those ballots are postmarked by Election Day, more of those ballots could be rejected in future elections due to [recent changes to U.S. Postal Service procedures](#). To top it all off, a [pending U.S. Supreme Court case](#) could make it illegal for any jurisdiction to count ballots that arrive after Election Day, period. Taken together, these changes have the potential to impact, and even disenfranchise, thousands of voters.

If the Supreme Court lets this scheme for disenfranchisement to proceed Maryland must adjust to it and protect all Maryland voters. This bill accomplishes that by requiring the State Administrator of Elections to establish a uniform tabulation policy for absentee ballots with federal contests only if there is an occurrence of federal judicial action regarding the timely receipt of certain absentee ballots that preempts a certain State law and regulation; and requiring the State Administrator to provide certain additional notice to voters regarding absentee ballots under certain circumstances using certain methods.

**I respectfully urge this committee to return a favorable report on SB#0949.**

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<sup>1</sup> <https://www.votebeat.org/2026/02/11/how-many-mail-voters-absentee-ballots-arrive-after-election-day-2024-2026-postmark-supreme-court/>