

# **SB443 Board Counsel Qualifications Testimony.pdf**

Uploaded by: Allison Murphy

Position: FAV



# CAROLINE COUNTY BOARD OF ELECTIONS

403 S. Seventh Street, Suite 247, Denton, MD 21629

Phone: (410) 479-8145

Fax: (410) 479-5736

Email: [election@carolinemd.org](mailto:election@carolinemd.org)

[www.carolinemdelections.org](http://www.carolinemdelections.org)

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February 25, 2026

Senator Brian J. Feldman, Chair  
Education, Energy, and the Environment Committee  
2 West, Miller Senate Office Building  
Annapolis, Maryland 21401

### **SB443 - Support**

Dear Chair Feldman, Vice Chair Kagan, and Committee Members,

On behalf of the Caroline County Board of Elections, I respectfully offer support for Senate Bill 443. This legislation would allow local board counsel to be a registered voter of the State of Maryland, rather than requiring residency within the specific county served by the local board of elections.

Our Board is currently experiencing firsthand the challenges created by the existing residency requirement. Our longtime Board Counsel retired and graciously agreed to return temporarily because we were unable to identify a qualified replacement who resides within Caroline County. In fact, we identified a qualified candidate who was ineligible solely because they live just across the county line. The restriction significantly limits the pool of eligible applicants, particularly in smaller or rural jurisdictions like ours.

Election administration is governed by Maryland law, and Board Counsel's responsibilities focus on interpreting and applying state statutes and regulations. Residency within a specific county does not impact the ability to provide sound, consistent legal advice.

Additionally, advisory work performed by Board Counsel could be conducted remotely, if needed. In-person attendance is generally required only for certain monthly board meetings and during canvasses. Expanding eligibility statewide would not diminish accessibility or service to the Board.

With the 2026 Primary Election approaching, it is critical that we ensure stable and qualified legal support is in place.

I respectfully urge a favorable report on Senate Bill 443. Thank you for your consideration.

Respectfully,

Allison Murphy,  
Election Director

**Final - SB443 -2026.docx.pdf**

Uploaded by: Erin Perrone

Position: FAV



# Maryland Association of Election Officials

## Representing the Local Election Boards of the State of Maryland

February 25, 2026

Senator Brian J. Feldman, Chair  
Education, Energy, and the Environment Committee  
2 West, Miller Senate Office Building  
Annapolis, Maryland 21401

### **SB443 - Support**

Dear Chair Feldman, Vice Chair Kagan, and Committee Members,

The Maryland Association of Election Officials (MAEO) is the professional membership organization representing local election officials and Election Boards across all 24 jurisdictions in the state. Our members are dedicated to ensuring the smooth and effective administration of elections, and we are deeply committed to making Maryland elections accessible, secure, and fair.

MAEO supports Senate Bill 443, which would alter the qualifications for local board counsel by allowing an individual to be a registered voter of the State, rather than being restricted to the specific jurisdiction of the local board of elections (LBE).

Currently, the requirement for counsel to be a registered voter of the specific jurisdiction they serve can create significant hurdles for recruitment. Rural jurisdictions, in particular, often struggle to fill vital specialized positions because their smaller populations may not include residents with the niche legal expertise required for election law. Additionally, much of the day-to-day advisory work for Board Counsel is conducted via remote consultation, with in-person attendance primarily essential only during some monthly board meetings and during canvasses.

This change ensures that a jurisdiction's geographic boundaries do not prevent it from accessing the same high-level legal talent available to larger metropolitan areas. By broadening this residency requirement to the State level, LBEs gain the flexibility to recruit and retain the best possible legal advice to navigate increasingly complex election statutes.

Furthermore, as an emergency measure, this bill allows the boards **currently** facing vacancies or transitions to immediately benefit from an expanded pool of qualified candidates. This helps ensure that local boards will have the necessary legal support in place ahead of the 2026 primary elections.

MAEO is committed to ensuring fair, efficient, and accessible elections. We believe this administrative adjustment strengthens the stability of local board operations.

We respectfully urge a favorable report on SB 443.

**SB 443 - Carozza Testimony\_FINAL.pdf**

Uploaded by: Mary Beth Carozza

Position: FAV

MARY BETH CAROZZA  
Legislative District 38  
Somerset, Wicomico,  
and Worcester Counties

Education, Energy, and  
the Environment Committee

Executive Nominations Committee



Annapolis Office  
James Senate Office Building  
11 Bladen Street, Room 316  
Annapolis, Maryland 21401  
410-841-3645 · 301-858-3645  
800-492-7122 Ext. 3645  
Fax 410-841-3006 · 301-858-3006  
MaryBeth.Carozza@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

February 25, 2026

The Senate Education, Energy, and Environment Committee  
SB 443 – Local Boards of Elections – Board Counsel – Qualifications  
Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Feldman, Vice Chair Kagan, and my fellow members of the distinguished Senate Education, Energy, and Environment Committee for this opportunity to present Senate Bill 443 – Local Boards of Elections – Board Counsel – Qualifications and ask for a favorable report.

I want to thank Senators Mautz and Hershey, who jointly represent Caroline County, as well as Vice-Chair Kagan, for cosponsoring this emergency legislation, which would modify a provision that authorizes a local board of elections to appoint or retain an individual as counsel. The bill modifies the provision by requiring that the individual be a registered voter of the State, rather than a registered voter of the local board's county.

Under current law, the counsel to a local board of elections must be able to practice law in the State of Maryland **and** must be a registered voter of the county they serve. This secondary restriction limits the eligible pool of qualified counsel that can be hired by a local board of elections, particularly in rural areas. By way of background, Caroline County has been unable to replace their retiring counsel with someone who is registered to vote in Caroline County, which is impeding their ability to properly prepare for and staff their elections.

The counsel to a local board of elections is the primary legal advisor who ensures that all actions and decisions taken by the board comply with state and local laws. For example, board counsel must be present during the canvassing of mail-in ballots when the board is deciding whether to accept or reject a vote, ballot, or application.

The restriction that board counsel for a local board of elections must live in the county they serve has been in place since before Maryland adopted uniform election laws, which eliminated nuance in election law that may have required a local for counsel. In addition, the restriction is incongruent with modern realities, such as modern communication and information technologies, which allow for an attorney within Maryland, but not the specific jurisdiction, to effectively serve that jurisdiction.

SB 443 would enable each of our local boards of elections, especially our smallest jurisdictions, to quickly and efficiently hire counsel when necessary. This is a commonsense modernization of our standards for local boards of election counsel. I thank you for your kind attention and consideration, and I respectfully request a favorable report on SB 443.