

HB0862/993527/1

BY: Delegate Kipke

AMENDMENTS TO HOUSE BILL 862, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike “**Ballot Canvassing –**” and substitute “**Absentee Ballot Envelopes and Canvassing of**”; in line 3, after “of” insert “requiring that certain envelopes and envelope templates for absentee ballots include certain instructions;”; in line 5, after “to” insert “absentee ballot envelopes and the”; in line 6, after “election.” insert:

“BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–310, 11–302(d)(5) and (6), and 11–303(d)(2)

Annotated Code of Maryland

(2017 Replacement Volume and 2021 Supplement)”;

and strike in their entirety lines 7 through 11, inclusive.

On page 1 of the Ways and Means Committee Amendments (HB0862/773526/1), in line 7 of Amendment No. 1, strike “11–302(d)(5) and (6)”; and in line 11, after “Section” insert “11–302(f) and”.

AMENDMENT NO. 2

On page 1 of the bill, after line 14, insert:

“9–310.

(a) (1) This subsection applies only to an absentee ballot that is sent by mail.

(2) (i) [An] SUBJECT TO SUBSECTION (D) OF THIS SECTION, AN absentee ballot shall be enclosed in specially printed envelopes, the form and content of which shall be prescribed by the State Board.

(ii) The outgoing envelope shall include a statement, prominently placed, requesting that the recipient return the absentee ballot to the local board if the intended recipient no longer lives at that address.

(3) (i) A local board may use either two envelopes or three envelopes.

(ii) If two envelopes are used, the inner envelope shall be designated the "ballot/return envelope", and, when issued, it shall fit inside the envelope designated the "outgoing envelope".

(iii) If three envelopes are used, the innermost envelope shall be designated the "ballot envelope", which shall fit inside the envelope designated the "return envelope", both of which, when issued, shall fit inside the envelope designated the "outgoing envelope".

(iv) The ballot/return envelope described under subparagraph (ii) of this paragraph and the return envelope described under subparagraph (iii) of this paragraph provided to a voter voting by absentee ballot shall include prepaid postage.

(4) (i) An absentee ballot shall be accompanied by instructions for postage of the ballot/return envelope or the return envelope.

(ii) The instructions for postage shall include:

1. a statement that the ballot/return envelope or return envelope includes prepaid postage and may be mailed as is; and

2. directions for how a voter may attach postage for the purpose of reducing the costs of the local board.

(5) When voted and returned to the local board, an absentee ballot shall be enclosed in a ballot envelope or ballot/return envelope, on which has been printed an oath prescribed by the State Board.

(b) The State Board shall reimburse each local board for 50% of the cost of prepaid postage included on ballot/return envelopes or return envelopes provided to a voter voting by absentee ballot under subsection (a)(3)(iv) of this section.

(c) If an absentee ballot is sent by the Internet or facsimile transmission, the local board shall provide the voter with an envelope template, the oath prescribed by the State Board, and instructions for marking and returning the absentee ballot.

(D) A RETURN ENVELOPE, A BALLOT/RETURN ENVELOPE, OR AN ENVELOPE TEMPLATE PRODUCED IN ACCORDANCE WITH THIS SECTION SHALL CLEARLY STATE THE INSTRUCTIONS, PRESCRIBED BY THE STATE BOARD, THAT THE VOTER MUST FOLLOW IN ORDER FOR THE VOTER'S ABSENTEE BALLOT TO BE COUNTED.

On page 2 of the Ways and Means Committee Amendments, in line 3 of Amendment No. 2, after "ballot." insert:

"(F) (1) IN ADDITION TO THE POSTELECTION TABULATION AUDIT REQUIRED UNDER § 11-309 OF THIS SUBTITLE, WITHIN 120 DAYS AFTER THE GENERAL ELECTION, EACH LOCAL BOARD SHALL REPORT THE NUMBER OF ABSENTEE BALLOTS REJECTED UNDER THIS SECTION AND THE REASON FOR THE REJECTION TO THE STATE BOARD.

(2) WITHIN 14 DAYS AFTER RECEIPT OF THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION FROM THE LOCAL BOARDS, THE STATE BOARD SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE INFORMATION RECEIVED FROM THE LOCAL BOARDS.