HOUSE BILL 22

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HB 99/22 – W&M (PRE–FILED)

By: **Delegate R. Long**Requested: August 28, 2022
Introduced and read first time: January 11, 2023

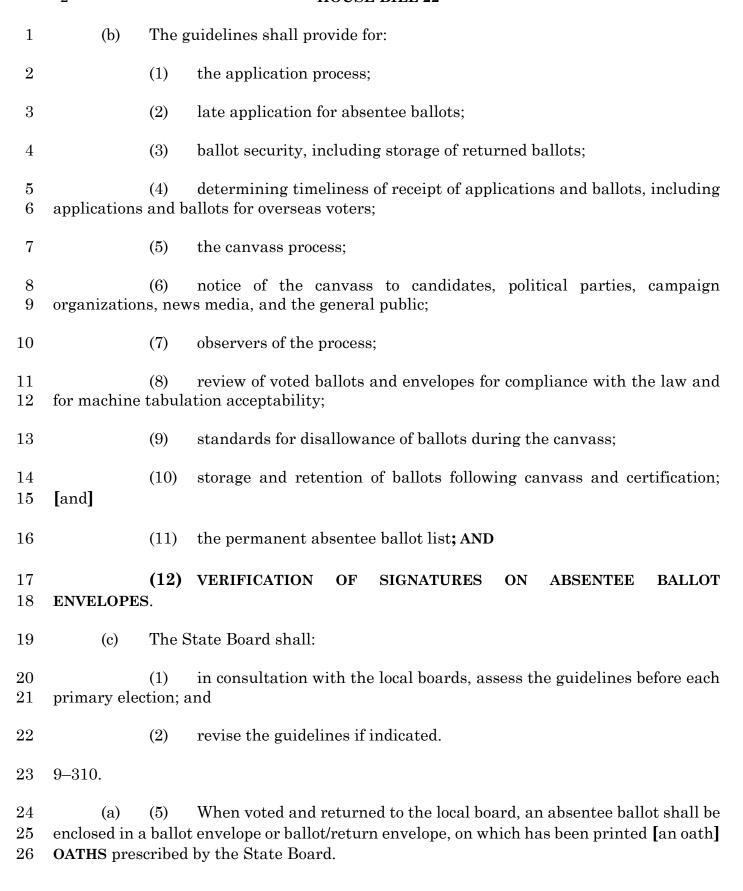
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

- 2 Election Law Absentee Ballots Signature Requirements and Verification
- FOR the purpose of prohibiting a local board of elections from removing an absentee ballot from a return envelope or ballot/return envelope or counting the ballot unless the
- return envelope or ballot/return envelope is signed by the voter and, except under certain circumstances, a witness, and the local board verifies the voter's signature;
- 7 and generally relating to absentee ballots.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Election Law
- 10 Section 9–303 and 9–310(a)(5) and (c)
- 11 Annotated Code of Maryland
- 12 (2022 Replacement Volume and 2022 Supplement)
- 13 BY adding to
- 14 Article Election Law
- 15 Section 9–310.1
- 16 Annotated Code of Maryland
- 17 (2022 Replacement Volume and 2022 Supplement)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 19 That the Laws of Maryland read as follows:
- 20 Article Election Law
- 21 9-303.
- 22 (a) The State Board shall establish guidelines for the administration of absentee
- 23 voting by the local boards.





- 1 (c) If an absentee ballot is sent by the Internet or facsimile transmission, the local 2 board shall provide the voter with an envelope template, the [oath] **OATHS** prescribed by 3 the State Board, and instructions for marking and returning the absentee ballot.
- 4 **9–310.1.**
- 5 (A) IN THIS SECTION, "UNIFORMED SERVICES" HAS THE MEANING STATED 6 IN 10 U.S.C. § 101.
- 7 (B) A LOCAL BOARD MAY NOT REMOVE AN ABSENTEE BALLOT FROM THE 8 RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE OR COUNT THE BALLOT 9 UNLESS:
- 10 **(1)** THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE IS 11 SIGNED BY:
- 12 (I) THE VOTER TO WHOM THE BALLOT WAS ISSUED; AND
- 13 (II) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, 14 A WITNESS OTHER THAN THE VOTER TO WHOM THE BALLOT WAS ISSUED; AND
- 15 (2) THE VOTER'S SIGNATURE IS VERIFIED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION.
- 17 (C) THE WITNESS SIGNATURE REQUIREMENT UNDER SUBSECTION (B)(1)(II)
 18 OF THIS SECTION DOES NOT APPLY TO AN ABSENTEE BALLOT THAT IS VOTED AND
 19 RETURNED BY:
- 20 (1) AN ACTIVE DUTY MEMBER OF THE UNIFORMED SERVICES WHO IS 21 SERVING OVERSEAS; OR
- 22 (2) THE SPOUSE OR DEPENDENT OF AN ACTIVE DUTY MEMBER OF THE
 23 UNIFORMED SERVICES WHO IS SERVING OVERSEAS IF THE SPOUSE OR DEPENDENT
 24 LIVES OVERSEAS.
- 25 (D) EACH LOCAL BOARD SHALL VERIFY THE SIGNATURE OF THE VOTER ON 26 THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE BY COMPARING THE 27 SIGNATURE WITH THE VOTER'S REGISTRATION RECORD IN ACCORDANCE WITH 28 REGULATIONS ADOPTED BY THE STATE BOARD.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 30 October 1, 2023.