A BILL ENTITLED

AN ACT concerning

Elections – Permanent Absentee Ballot List

FOR the purpose of requiring the State Board of Elections to establish guidelines for a permanent absentee ballot list; authorizing an individual to apply for permanent absentee ballot status; authorizing an application for permanent absentee ballot status to be made by certain methods; requiring a written request for permanent absentee ballot status to include certain information; requiring that a voter be placed on the permanent absentee ballot list under certain circumstances; requiring that an absentee ballot be sent to a voter on the permanent absentee ballot list for certain elections; requiring that a voter be removed from the permanent absentee ballot list under certain circumstances; requiring a voter that has permanent absentee ballot status to notify the local board with certain information under certain circumstances; and generally relating to permanent absentee ballot lists.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 9–303, 9–304, and 9–305(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to

Article – Election Law
Section 9–305.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.
SENATE BILL 293

Article – Election Law

9–303.

(a) The State Board shall establish guidelines for the administration of absentee voting by the local boards.

(b) The guidelines shall provide for:

(1) the application process;

(2) late application for absentee ballots;

(3) ballot security, including storage of returned ballots;

(4) determining timeliness of receipt of applications and ballots, including applications and ballots for overseas voters;

(5) the canvass process;

(6) notice of the canvass to candidates, political parties, campaign organizations, news media, and the general public;

(7) observers of the process;

(8) review of voted ballots and envelopes for compliance with the law and for machine tabulation acceptability;

(9) standards for disallowance of ballots during the canvass; [and]

(10) storage and retention of ballots following canvass and certification;

AND

(11) THE PERMANENT ABSENTEE BALLOT LIST.

(c) The State Board shall:

(1) in consultation with the local boards, assess the guidelines before each primary election; and

(2) revise the guidelines if indicated.

9–304.

(A) An individual may vote by absentee ballot except to the extent preempted under an applicable federal law.
(B) An individual may apply for permanent absentee ballot status.

9–305.

(a) An application for an absentee ballot or for permanent absentee ballot status, signed by the voter, may be made:

(1) on a form produced by the local board and supplied to the voter;

(2) on a form provided under federal law; or

(3) in a written request that includes:

(i) the voter's name and residence address; and

(ii) the address to which the ballot is to be mailed, if different from the residence address.

9–305.1.

(A) All voters are eligible for permanent absentee ballot status.

(B) (1) A voter who applies for permanent absentee ballot status shall be placed on the permanent absentee ballot list.

(2) An absentee ballot shall be sent to each voter on the permanent absentee ballot list each time there is an election.

(C) A voter who has permanent absentee ballot status shall be removed from the permanent absentee ballot list if the voter:

(1) is removed from the statewide voter registry in accordance with Subtitle 5 of this title; or

(2) fails to return an absentee ballot for two consecutive statewide general elections.

(D) A voter who has permanent absentee ballot status shall notify the local board if the absentee ballot is to be sent to an address that is different than the previous address to which the absentee ballot was sent.
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.