

# HOUSE BILL 657

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HB 787/11 – W&M

2lr0980  
CF SB 341

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By: **Delegates Kramer, Arora, Cullison, Dumais, Hucker, A. Kelly, K. Kelly, Malone, Reznik, Simmons, Stein, and Valderrama**

Introduced and read first time: February 8, 2012

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Subsequent Election Absentee Ballot List**

3 FOR the purpose of requiring the State Board of Elections to establish guidelines for a  
4 subsequent election absentee ballot list; requiring that a voter who receives an  
5 absentee ballot be provided the opportunity to request an absentee ballot for the  
6 next subsequent election in certain materials accompanying the absentee ballot;  
7 requiring that a voter who requests an absentee ballot for the next subsequent  
8 election be placed on the subsequent election absentee ballot list; requiring that  
9 an absentee ballot be sent to a voter on the subsequent election absentee ballot  
10 list for certain elections; requiring that a voter be removed from the subsequent  
11 election absentee ballot list under certain circumstances; requiring a voter who  
12 requests an absentee ballot for the next subsequent election to notify the local  
13 board with certain information under certain circumstances; and generally  
14 relating to the subsequent election absentee ballot list.

15 BY repealing and reenacting, with amendments,  
16 Article – Election Law  
17 Section 9–303  
18 Annotated Code of Maryland  
19 (2010 Replacement Volume and 2011 Supplement)

20 BY repealing and reenacting, without amendments,  
21 Article – Election Law  
22 Section 9–304  
23 Annotated Code of Maryland  
24 (2010 Replacement Volume and 2011 Supplement)

25 BY adding to  
26 Article – Election Law  
27 Section 9–305.1

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2010 Replacement Volume and 2011 Supplement)

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

5 **Article – Election Law**

6 9–303.

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

9 (b) The guidelines shall provide for:

10 (1) the application process;

11 (2) late application for absentee ballots;

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

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

15 (5) the canvass process;

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

18 (7) observers of the process;

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

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

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

23 **AND**

24 **(11) THE SUBSEQUENT ELECTION ABSENTEE BALLOT LIST**  
25 **ESTABLISHED UNDER § 9–305.1 OF THIS SUBTITLE.**

26 (c) The State Board shall:

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

1           (2)    revise the guidelines if indicated.

2    9-304.

3           An individual may vote by absentee ballot except to the extent preempted under  
4    an applicable federal law.

5    **9-305.1.**

6           **(A)    A VOTER WHO RECEIVES AN ABSENTEE BALLOT SHALL BE**  
7    **PROVIDED THE OPPORTUNITY TO REQUEST AN ABSENTEE BALLOT FOR THE**  
8    **NEXT SUBSEQUENT ELECTION IN THE WRITTEN MATERIALS ACCOMPANYING**  
9    **THE ABSENTEE BALLOT.**

10          **(B)    A VOTER WHO REQUESTS AN ABSENTEE BALLOT FOR THE NEXT**  
11    **SUBSEQUENT ELECTION SHALL BE PLACED ON THE SUBSEQUENT ELECTION**  
12    **ABSENTEE BALLOT LIST.**

13          **(C)    AN ABSENTEE BALLOT SHALL BE SENT TO EACH VOTER ON THE**  
14    **SUBSEQUENT ELECTION ABSENTEE BALLOT LIST FOR:**

15               **(1)    THE REGULARLY SCHEDULED PRIMARY AND GENERAL**  
16    **ELECTION IMMEDIATELY FOLLOWING THE REQUEST; AND**

17               **(2)    ANY INTERVENING SPECIAL ELECTIONS.**

18          **(D)    A VOTER SHALL BE REMOVED FROM THE SUBSEQUENT ELECTION**  
19    **ABSENTEE BALLOT LIST IF THE VOTER IS REMOVED FROM THE STATEWIDE**  
20    **VOTER REGISTRY IN ACCORDANCE WITH TITLE 3, SUBTITLE 5 OF THIS ARTICLE.**

21          **(E)    A VOTER WHO REQUESTS AN ABSENTEE BALLOT FOR THE NEXT**  
22    **SUBSEQUENT ELECTION SHALL NOTIFY THE LOCAL BOARD IF THE ABSENTEE**  
23    **BALLOT IS TO BE SENT TO AN ADDRESS THAT IS DIFFERENT THAN THE ADDRESS**  
24    **TO WHICH THE VOTER'S PREVIOUS ABSENTEE BALLOT WAS SENT.**

25          SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26    July 1, 2012.