

SENATE BILL 341

G1
SB 409/11 – EHE

2lr1084
CF 2lr0980

By: **Senators Raskin, Colburn, Currie, Forehand, King, Montgomery, Pinsky, Rosapepe, and Zirkin**

Introduced and read first time: January 30, 2012

Assigned to: Education, Health, and Environmental Affairs

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

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.