

SENATE BILL 542

G1

(3lr1882)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Ways and Means* —

Introduced by **Senators Young, Jacobs, Raskin, and Shank**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Polling Places – Electioneering**

3 FOR the purpose of requiring that electioneering be allowed on the premises of a
4 public building that is used for a polling place up to a certain electioneering
5 boundary; requiring that campaign signs be allowed on the premises of a public
6 building that is used for a polling place for, at a minimum, certain time periods;
7 prohibiting a polling place from being located in a privately owned building
8 ~~unless the owner of the building agrees to allow electioneering on the premises~~
9 ~~up to a certain electioneering boundary~~ except under certain circumstances; and
10 generally relating to electioneering at polling places.

11 BY repealing and reenacting, without amendments,

12 Article – Election Law

13 Section 10–101(a)(1) and (2)

14 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 (2010 Replacement Volume and 2012 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Election Law
4 Section 10–101(a)(3) and (4)
5 Annotated Code of Maryland
6 (2010 Replacement Volume and 2012 Supplement)

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

9 **Article – Election Law**

10 10–101.

11 (a) (1) Each local board shall designate a polling place that meets the
12 requirements of this subsection for each precinct in the county as established by the
13 local board in accordance with Title 2 of this article.

14 (2) Each polling place shall:

15 (i) provide an environment that is suitable to the proper
16 conduct of an election;

17 (ii) be located as conveniently as practicable for the majority of
18 registered voters assigned to that polling place;

19 (iii) except as authorized in paragraph (4) of this subsection, be
20 in a public building;

21 (iv) be in the precinct that it serves unless no suitable location
22 for a polling place can be found within that precinct, in which case the board may
23 establish the polling place in an adjacent precinct; and

24 (v) whenever practicable, be selected and arranged to avoid
25 architectural and other barriers that impede access or voting by elderly and physically
26 disabled voters.

27 (3) (i) The public official responsible for the use of any public
28 building requested by a local board for a polling place shall make available to the local
29 board, without charge, the space that is needed in the building for the proper conduct
30 of an election.

31 (ii) Light, heat, and custodial and janitorial services for the
32 space shall be provided to the local board without charge.

1 (III) 1. ~~ELECTIONEERING~~ SUBJECT TO
2 SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, ELECTIONEERING SHALL BE
3 ALLOWED ON THE PREMISES OF THE PUBLIC BUILDING UP TO THE
4 ELECTIONEERING BOUNDARY ESTABLISHED UNDER § 16-206(B) OF THIS
5 ARTICLE.

6 2. CAMPAIGN SIGNS SHALL BE ALLOWED ON THE
7 PREMISES OF THE PUBLIC BUILDING, AT A MINIMUM, FROM:

8 A. ~~5~~ 7 P.M. THE DAY IMMEDIATELY PRECEDING
9 ELECTION DAY UNTIL 8 A.M. ON THE DAY IMMEDIATELY FOLLOWING ELECTION
10 DAY; AND

11 B. ~~5~~ 7 P.M. THE DAY BEFORE AN EARLY VOTING
12 PERIOD BEGINS UNDER § 10-301.1 OF THIS TITLE UNTIL 8 A.M. THE DAY AFTER
13 THE EARLY VOTING PERIOD ENDS.

14 (4) (i) If suitable space in a public building is not available, a local
15 board may pay a reasonable fee for the use of space in a privately owned building.

16 (II) A POLLING PLACE MAY NOT BE LOCATED IN A
17 PRIVATELY OWNED BUILDING UNLESS THE OWNER OF THE BUILDING AGREES
18 TO:

19 1. ALLOW ELECTIONEERING ON THE PREMISES UP
20 TO THE ELECTIONEERING BOUNDARY ESTABLISHED UNDER § 16-206(B) OF
21 THIS ARTICLE; AND

22 2. ALLOW CAMPAIGN SIGNS ON THE PREMISES, AT A
23 MINIMUM, FROM:

24 A. ~~5~~ 7 P.M. THE DAY IMMEDIATELY PRECEDING
25 ELECTION DAY UNTIL 8 A.M. ON THE DAY IMMEDIATELY FOLLOWING ELECTION
26 DAY; AND

27 B. ~~5~~ 7 P.M. THE DAY BEFORE AN EARLY VOTING
28 PERIOD BEGINS UNDER § 10-301.1 OF THIS TITLE UNTIL 8 A.M. THE DAY AFTER
29 THE EARLY VOTING PERIOD ENDS.

30 [(ii)] (III) Except as provided in subparagraphs [(iii)](IV) and
31 [(iv)](V) of this paragraph, an election may not be held in any building or part of any
32 building used or occupied by an establishment that holds an alcoholic beverages
33 license.

1 **[(iii)] (IV)** An election may be held in a building that is owned
2 and occupied by an establishment that holds an alcoholic beverages license if:

3 1. the local board determines that there is no suitable
4 alternative place to hold an election;

5 2. the licensee agrees not to sell or dispense alcoholic
6 beverages during the period beginning 2 hours before the polls open and ending 2
7 hours after the polls close; and

8 3. where applicable, all ballots are removed from the
9 polling place by the local board immediately following the election.

10 **[(iv)] (V)** An early voting center may be located in a building
11 that is partially occupied by an establishment that holds an alcoholic beverages license
12 if:

13 1. the State Board, in collaboration with a local board,
14 determines that the building is a suitable site for an early voting center; and

15 2. the entrance to a licensee’s establishment is at least
16 100 feet from the entrance to the building that is closest to the part of the building
17 where the early voting center is located.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.