

SENATE BILL 840

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3lr2784

By: **Senator Stone**

Introduced and read first time: February 6, 2013

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Voting – Notice of Election by Specimen Ballot**

3 FOR the purpose of altering the date by which a local board of elections must provide
4 voters notice of an election by specimen ballot; and generally relating to notice
5 of elections to voters by specimen ballot.

6 BY repealing and reenacting, with amendments,
7 Article – Election Law
8 Section 7–105 and 8–102
9 Annotated Code of Maryland
10 (2010 Replacement Volume and 2012 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article – Election Law
13 Section 9–214
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2012 Supplement)

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

18 **Article – Election Law**

19 7–105.

20 (a) A local board shall provide notice of each question to be submitted
21 statewide and each question to be submitted to the voters of the county, by:

22 (1) specimen ballot mailed at least 1 week before **ANY EARLY VOTING**
23 **PERIOD BEFORE** the general election; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) publication or dissemination by mass communication during the 3
2 weeks immediately preceding the general election at which a question will appear on
3 the ballot.

4 (b) (1) For any question submitted under Article XIV or Article XVI of the
5 Maryland Constitution, the notice required by subsection (a) of this section shall
6 contain the information specified in § 7-103(b) of this title and a brief statement,
7 prepared in clear and concise language, devoid of technical and legal terms to the
8 extent practicable, summarizing the question.

9 (2) The statement required under paragraph (1) of this subsection
10 shall be:

11 (i) prepared by the Department of Legislative Services;

12 (ii) approved by the Attorney General; and

13 (iii) submitted to the State Board by the fourth Monday in
14 August.

15 (3) The statement required under paragraph (1) of this subsection is
16 sufficient if it is:

17 (i) contained in an enactment by the General Assembly, and
18 the enactment clearly specifies that the statement is to be used on the ballot; or

19 (ii) consistent with some other process mandated by the
20 Maryland Constitution.

21 (c) The State Board shall adopt regulations governing notice of questions to
22 appear on the ballot, including the use and content of specimen ballots and the
23 publication or dissemination of notice by mass communication.

24 (d) (1) The complete text of a question shall be posted or available for
25 public inspection in the office of the State Board and each applicable local board for 30
26 days prior to the general election.

27 (2) Copies of the complete text of all statewide questions shall be
28 furnished by the State Board to the local boards in quantities as determined by the
29 State Board, including quantities sufficient to provide one copy of each for posting in
30 each polling place and in each local board office.

31 (3) An individual may receive without charge a copy of the complete
32 text of all constitutional amendments and questions from a local board, either in
33 person or by mail.

1 8–102.

2 (a) Except as required under subsection (d) of this section, a local board shall
3 provide notice of each election in its county to the registered voters of the county by
4 either:

5 (1) specimen ballot mailed at least 1 week before **THE FIRST DAY OF**
6 **ANY EARLY VOTING PERIOD BEFORE** the election; or

7 (2) publication or dissemination by mass communication during the
8 calendar week preceding the election.

9 (b) The notice shall include:

10 (1) the time and place of the election; and

11 (2) the offices, candidate names, and questions contained on the ballot.

12 (c) (1) If a local board provides notice by mailing specimen ballots, a
13 specimen ballot shall be mailed to all registered voters in the county who are eligible
14 to vote in the election.

15 (2) The specimen ballot shall be a facsimile of the ballot that the voter
16 is entitled to vote in the election.

17 (d) (1) In Prince George's County for the general election, the Board shall:

18 (i) provide notice by mailing specimen ballots; and

19 (ii) mail a specimen ballot to the household of each registered
20 voter in the county.

21 (2) The costs for mailing specimen ballots in Prince George's County
22 shall be included in the county's annual budget appropriation to the local board.

23 (e) (1) Unless a local board mails a specimen ballot to its registered voters
24 in accordance with subsection (c) or (d) of this section, the local board shall give notice
25 of the election by newspaper publication or other means of mass communication.

26 (2) The notice of election under this subsection shall be arranged, if
27 practicable, in the same order and form as the ballot.

28 (3) (i) If newspaper publication is used in a county, the notice shall
29 be advertised in at least two newspapers of general circulation that are published in
30 the county.

1 (ii) In a county in which only one newspaper is published, the
2 notice shall be published in that newspaper.

3 9-214.

4 Each local board shall provide specimen ballots, so labeled, for all ballots to be
5 used in each election:

6 (1) for mailing to registered voters under Title 8 of this article, if
7 mailing of specimen ballots is chosen or required in the county; and

8 (2) for other informational purposes in accordance with the provisions
9 of this article.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2013.