

SENATE BILL 169

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6lr1787

By: **Senator Kagan**

Introduced and read first time: January 18, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Local Vote-by-Mail Special Elections – Start of Canvassing**

3 FOR the purpose of authorizing a local board of elections, under certain circumstances, to
4 commence the canvass of vote-by-mail ballots at a certain time; and generally
5 relating to the canvassing of vote-by-mail ballots.

6 BY repealing and reenacting, without amendments,
7 Article – Election Law
8 Section 9–501(b) and (e)
9 Annotated Code of Maryland
10 (2010 Replacement Volume and 2015 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Election Law
13 Section 11–302(b)
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2015 Supplement)

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

18 **Article – Election Law**

19 9–501.

20 (b) Voting by mail may be utilized in a special election in accordance with this
21 subtitle.

22 (e) Except as otherwise provided in this subtitle:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) provisions of this article relating to absentee voting apply to voting by
2 mail; and

3 (2) all pertinent State or local laws relating to the conduct of a special
4 election apply to a special election conducted under this subtitle.

5 11-302.

6 (b) (1) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
7 **SUBSECTION, A** local board may not open any envelope of an absentee ballot prior to 8 a.m.
8 on the Wednesday following election day.

9 (2) A local board may not delay the commencement of the canvass to await
10 the receipt of late-arriving, timely absentee ballots.

11 **(3) IF A LOCAL SPECIAL ELECTION IS CONDUCTED BY MAIL UNDER**
12 **TITLE 9, SUBTITLE 5 OF THIS ARTICLE, THE LOCAL BOARD MAY COMMENCE THE**
13 **CANVASS OF VOTE-BY-MAIL BALLOTS AT 2 P.M. ON THE DAY OF THE SPECIAL**
14 **ELECTION.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2016.