

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 730 (Senator Smith, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

Local Government - Municipal Elections - No-Excuse Absentee Voting

This bill prohibits a municipality from requiring an individual to provide a reason that the individual will be unable to vote in person on Election Day in order to vote by absentee ballot. **The bill takes effect June 1, 2018.**

Fiscal Summary

State Effect: None.

Local Effect: None. The bill is not expected to affect municipal finances.

Small Business Effect: None.

Analysis

Current Law: Under the Local Government Article of the Annotated Code of Maryland, a qualified voter may vote in a municipal election by absentee ballot. A municipality must provide a procedure to vote by absentee ballot and may use any method to enable absentee voters to vote, including using any facilities to transmit and receive applications for absentee ballots.

Under the Election Law Article, an individual may vote by absentee ballot except to the extent preempted under an applicable federal law. The Election Law Article governs elections held in the State, with the exception that it generally does not govern municipal elections other than those in Baltimore City. Prior to the enactment of Chapter 6 of 2006, absentee voting was only available under the Election Law Article to persons who were unable to vote in person on Election Day for specified reasons.

Additional Information

Prior Introductions: HB 25 of 2014 passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Cross File: HB 829 (Delegate A. Washington, *et al.*) - Ways and Means.

Information Source(s): State Board of Elections; cities of Frederick, Havre de Grace, and Takoma Park; Maryland Municipal League; Department of Legislative Services

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