

HOUSE BILL 881

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HB 269/19 – W&M

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CF SB 33

By: **Delegates Smith, Acevero, Bridges, Carr, Charkoudian, Charles, Gilchrist, Henson, Hill, Ivey, Lierman, Lopez, Shetty, Solomon, Stewart, Wells, and Williams**

Introduced and read first time: February 3, 2020
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Voting by Absentee Ballot – Prepaid Postage for Return of**
3 **Ballots**

4 FOR the purpose of requiring that certain envelopes required to be used by voters voting
5 by absentee ballot to return their ballots include prepaid postage; requiring that
6 absentee ballots be accompanied by instructions for the postage of certain absentee
7 ballot envelopes; requiring the State Board of Elections to reimburse each local board
8 of elections for a certain percentage of the cost of prepaid postage included on
9 absentee ballot envelopes provided to certain voters; providing for a delayed effective
10 date; and generally relating to prepaid postage for the return of absentee ballots.

11 BY repealing and reenacting, with amendments,
12 Article – Election Law
13 Section 9–310
14 Annotated Code of Maryland
15 (2017 Replacement Volume and 2019 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 9–310.

20 (a) (1) This subsection applies only to an absentee ballot that is sent by mail.

21 (2) An absentee ballot shall be enclosed in specially printed envelopes, the
22 form and content of which shall be prescribed by the State Board.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) (i) A local board may use either two envelopes or three envelopes.

2 (ii) If two envelopes are used, the inner envelope shall be designated
3 the "ballot/return envelope", and, when issued, it shall fit inside the envelope designated
4 the "outgoing envelope".

5 (iii) If three envelopes are used, the innermost envelope shall be
6 designated the "ballot envelope", which shall fit inside the envelope designated the "return
7 envelope", both of which, when issued, shall fit inside the envelope designated the "outgoing
8 envelope".

9 (IV) THE BALLOT/RETURN ENVELOPE DESCRIBED UNDER
10 SUBPARAGRAPH (II) OF THIS PARAGRAPH AND THE RETURN ENVELOPE DESCRIBED
11 UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH PROVIDED TO A VOTER VOTING
12 BY ABSENTEE BALLOT SHALL INCLUDE PREPAID POSTAGE.

13 (4) (I) AN ABSENTEE BALLOT SHALL BE ACCOMPANIED BY
14 INSTRUCTIONS FOR POSTAGE OF THE BALLOT/RETURN ENVELOPE OR THE RETURN
15 ENVELOPE.

16 (II) THE INSTRUCTIONS FOR POSTAGE SHALL INCLUDE:

17 1. A STATEMENT THAT THE BALLOT/RETURN ENVELOPE
18 OR RETURN ENVELOPE INCLUDES PREPAID POSTAGE AND MAY BE MAILED AS IS;
19 AND

20 2. DIRECTIONS FOR HOW A VOTER MAY ATTACH
21 POSTAGE FOR THE PURPOSE OF REDUCING THE COSTS OF THE LOCAL BOARD.

22 [(4)] (5) When voted and returned to the local board, an absentee ballot
23 shall be enclosed in a ballot envelope or ballot/return envelope, on which has been printed
24 an oath prescribed by the State Board.

25 (B) THE STATE BOARD SHALL REIMBURSE EACH LOCAL BOARD FOR 50%
26 OF THE COST OF PREPAID POSTAGE INCLUDED ON BALLOT/RETURN ENVELOPES OR
27 RETURN ENVELOPES PROVIDED TO A VOTER VOTING BY ABSENTEE BALLOT UNDER
28 SUBSECTION (A)(3)(IV) OF THIS SECTION.

29 [(b)] (C) If an absentee ballot is sent by the Internet or facsimile transmission,
30 the local board shall provide the voter with an envelope template, the oath prescribed by
31 the State Board, and instructions for marking and returning the absentee ballot.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 January 1, 2021.