

# HOUSE BILL 398

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HB 1589/20 – W&M

(PRE-FILED)

11r0981  
CF SB 158

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By: **Delegate Palakovich Carr**

Requested: October 15, 2020

Introduced and read first time: January 13, 2021

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Time Off for Employee Voting**

3 FOR the purpose of requiring every employer in the State to allow any employee, rather  
4 than any employee who claims to be a registered voter, in the State a certain period  
5 of absence from work to vote in an election, rather than only on election day; altering  
6 the requirement that certain employees furnish to their employers certain proof to  
7 specify that the proof be reasonable and furnished in a timely manner; repealing a  
8 requirement that an employee furnish proof to the employer that the employee voted  
9 or attempted to vote on a form prescribed by the State Board of Elections; prohibiting  
10 an employer from taking certain actions against an employee who exercises the right  
11 under certain provisions of law to be absent from work to vote; making a stylistic  
12 change; and generally relating to time off for employee voting.

13 BY repealing and reenacting, with amendments,  
14 Article – Election Law  
15 Section 10–315  
16 Annotated Code of Maryland  
17 (2017 Replacement Volume and 2020 Supplement)

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

20 **Article – Election Law**

21 10–315.

22 (a) Every employer in the State shall [permit] **ALLOW** any employee [who claims  
23 to be a registered voter] in the State a period not to exceed 2 hours absence from work [on  
24 election day in order to cast a ballot] **TO VOTE IN AN ELECTION** if the employee does not

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 have 2 hours of continuous off-duty **TIME** during the time that the polls are open.

2 (b) The employer shall pay the employee for the 2 hours absence from work.

3 (c) **[(1)]** Each employee shall furnish to the employer **IN A TIMELY MANNER**  
4 **REASONABLE** proof that the employee has voted or attempted to vote.

5 **[(2)]** The proof that an employee has voted or attempted to vote shall be on  
6 a form prescribed by the State Board.]

7 **(D) AN EMPLOYER MAY NOT DISCRIMINATE, RETALIATE, OR TAKE ANY**  
8 **FORM OF FINANCIAL OR PROFESSIONAL REPRISAL AGAINST AN EMPLOYEE WHO**  
9 **EXERCISES THE RIGHT UNDER THIS SECTION TO BE ABSENT FROM WORK TO VOTE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
11 1, 2021.