

James F. Shalleck
President
Nahid Khozeimeh
Vice President
David A. Naimon
Secretary
Diane Nash Dillon
Member
Elisse W. Barnes
Member
Jacqueline L. Phillips
Substitute Member
Alan Banov
Substitute Member



**Montgomery County
Board of Elections**
Post Office Box 4333
Rockville, Maryland 20849-4333

Margaret A. Jurgensen
Election Director
Alysoun McLaughlin
Deputy Election Director
Janet A. Ross
*Information Technology
Manager*
Jessica Newby
Voter Services Manager
Christine Rzeszut
Operations Manager
Kevin Karpinski
Counsel

**TESTIMONY OF JIM SHALLECK, PRESIDENT, AND DAVID NAIMON, SECRETARY
MONTGOMERY COUNTY BOARD OF ELECTIONS**

HB 1379 – SUPPORT

**ELECTION LAW – MULTIPLE BALLOTS CAST BY AN INDIVIDUAL - CANVASSING
HOUSE WAYS AND MEANS COMMITTEE**

MARCH 3, 2020

The Montgomery County Board of Elections strongly supports House Bill 1379, which would remedy a longstanding concern of our Board.

Currently, Maryland is the only state where voters are treated like criminals when they return an absentee ballot and then also go to the polls and vote a provisional ballot – perhaps because they are simply worried that their absentee ballot will not arrive in time, or perhaps because they do not remember whether they mailed in their ballot or not. Currently, both ballots are rejected and the voter is referred for prosecution.

In every other state, the absentee ballot would count and the provisional ballot would be rejected. House Bill 1379 would allow election officials in Maryland to do the same thing as our peers in the rest of the country.

Provisional ballots are supposed to be a failsafe, not a trap. Voters have every reason to expect that we will count their ballot. If a provisional ballot is received at the polls, it should be just that – “provisional”. We should reject it if we have already received an absentee ballot.

The Montgomery County Board of Elections would oppose any amendment – as we have in the past - to instead count the provisional ballot. Doing so would prevent us from continuing to open some absentee ballots beginning two days after Election Day. If we needed to hold off on counting all absentee ballots until we have finished researching provisional ballots, we could have 50,000 or 60,000 ballots sitting unopened for at least ten days after Election Day.

Thank you for your attention to this important issue. Please let us know if you have any questions or contact Margaret Jurgensen, Election Director, or Alysoun McLaughlin, Deputy Director.

18753 North Frederick Avenue, Suite 210 • Gaithersburg, Maryland 20879
240-777-8500 • MD Relay 1-800-735-2258 • FAX 240-777-8505
elections@montgomerycountymd.gov • www.777vote.org