

**February 18, 2021**

**Testimony on SB 271**  
**Election Law - Voting Systems - Accessibility for Voters with Disabilities**  
**Education, Health, and Environmental Affairs**

**Position: Unfavorable**

Common Cause Maryland opposes SB 271, which would require that every early voter in Maryland use ballot marking devices.

We do not disagree with SB 271's intent, which is to help ensure the secrecy and accessibility of the vote for disabled Marylanders. We believe that further efforts should be taken to ensure these values are met. However, we believe that SB 271 goes too far to solve this problem, increasing our dependence on third party voting machine manufacturers, decreasing our election security, and potentially lessening the efficiency of our current voting processes in a way that could reduce access by increasing wait times at the polls.

Ballot marking devices are vital tools to assist certain disabled Marylanders in having their voices heard in elections. Marylanders with decreased motor functions, or limited eyesight, may find it impossible to vote on a paper ballot without assistance. While Maryland allows for this assistance, disabled Marylanders understandably prefer the secrecy and independence in their vote allowed by ballot marking devices.

However, because these devices provide unique benefits to disabled Marylanders, and there are a limited number of machines per precinct (if there is even more than one), the current system reduces secrecy for disabled Marylanders. Current law tries to alleviate this problem by allowing voters to pick their method of voting – whether it is by ballot marking device or paper ballot at the precinct. Additionally, we believe if Maryland had the opportunity to have Accessible Ballot Machines that printed ballots that looked exactly like paper ballots, that would allow Marylanders utilizing accessible ballots to maintain their privacy.

SB 271 laudably tries to alleviate this situation, but we are concerned that it goes too far. We instead urge the committee to focus on encouraging more voters to use ballot marking devices until pending litigation is resolved. While the recommendations below do not address privacy, they do address many of the other issues raised at previous hearing:

- Ensure all available ballot marking devices are up and working from open to close on each day of voting at each polling location.
- Designate a poll worker at each polling location where a ballot marking devices is available to assist with use of the system.
  - This poll worker should also be responsible for asking a specified number of voters per day at each location to use a ballot marking device
- Provide signage at specific polling locations making clear that a ballot marking device is available for use by any eligible voter.
- If necessary, Common Cause Maryland is willing to assist with poll worker recruitment.

Because SB 271 would require all Marylanders to use ballot marking devices, we urge the committee to give an unfavorable report.