



Maryland Developmental Disabilities Council

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Education, Health, and Environmental Affairs Committee

SB 271: Election Law - Voting Systems - Accessibility for Voters With Disabilities

February 18, 2021

Position: Support

The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that works to improve policies, programs and services that support people with developmental disabilities and their families in our communities. The DD Council is led by people with developmental disabilities and their families. **From that perspective, the DD Council supports SB 271 which requires the use of ballot marking devices by all voters beginning in 2022.**

WHY is this legislation important?

- Voting is a fundamental right that Maryland's citizens with developmental disabilities want and need to participate in.
- We must ensure all of Maryland's voters can access their fundamental right to vote privately and independently.
- There can be many barriers to voting for a person with a disability, widespread ballot marking devices, removes one barrier.
- Helps ensure absolute compliance with the Americans with Disabilities Act and the Help America Vote Act.

WHAT does this legislation do?

- Ensures that voters with disabilities are provided access to voting by requiring each voter to use a ballot marking device that is accessible to voters with disabilities to vote at an early voting center or an Election Day polling place.
- A ballot cast by a voter with a disability may not be set apart or distinguishable from, in size and form, a ballot cast by a voter without a disability.
- The bill applies to all elections beginning with the 2022 statewide primary election.

Prior to the 2016 election, the State Board of Election reduced the number of voters that must use the ballot marking device from 30 to 2. During the 2016 general election, 12 of the 24 counties had precincts that did not reach the 2 voter minimum. During the 2018 primary election, 9 counties had polling places where only one vote was cast using a ballot marking device.

While much has been done to increase access to voting in Maryland; **consistent and widespread usage of ballot marking devices will allow citizens to vote privately and independently and ensure voters with disabilities have equivalent access to exercise the fundamental right to vote.**

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