



TESTIMONY TO THE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

SB 831 – Election Reform Act of 2021

POSITION: Favorable

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The League of Women Voters of Maryland, representing 1500 members across the state, believes our election system should be fair, accessible, equitable, and increase voter participation. SB 831, the Election Reform Act of 2021, proposes many improvements that the League supports, including the following:

- **Open meetings materials made available 48 hours in advance:** This would greatly enhance transparency and benefit everyone who cares about how our government makes decisions.
- **Circuit court judge contests to appear on unaffiliated ballots during primary elections:** The League supports this sensible proposal to treat nonpartisan circuit court judge contests the same way nonpartisan school board contests are treated — by being listed on all primary ballots (Democratic, Republican, and Unaffiliated). Unaffiliated registrations are increasing faster than party registrations, and these voters deserve a voice also.
- **Limit internet delivery of ballots to UOCAVA voters and others who truly need it:** Internet delivery of ballots should be reserved for UOCAVA voters, people with certain disabilities, and others who require this option. Such ballots must be manually duplicated by the local Board of Elections in order to be scanned, an extra step that's time-consuming and potentially compromises accuracy and security. An unprecedented flood of internet-delivered ballots in the 2020 General Election led to an enormous processing burden on the LBEs and slowed down the canvass because many voters chose this option without realizing the consequences.
- **Remove party affiliation and other identifying information from ballot return envelopes:** This simple design change will reassure voters concerned about privacy. Scannable barcodes contain the same essential information in machine-readable form.
- **Set standards for early voting center locations:** Early voting is popular and increases voter turnout. Objective, consistent guidelines would make siting decisions fairer and improve accessibility. Preferably, though, early voting should end no later than the Saturday before Election Day. The local Boards of Elections need time to switch out equipment, update the electronic pollbooks, and provide a brief respite for election workers.
- **Start the absentee ballot canvass before Election Day:** Although the actual tally of ballots does not take place until polls close on Election Day, it makes sense to start the preliminary processing of ballot return envelopes in advance, as was done in 2020. This allows more time for “curing” ballots, i.e., contacting voters who failed to sign the oath and enabling them to remedy the problem before the canvass ends. Note: The wording on pp. 26-27 (“If an absentee ballot contains an error that would invalidate the ballot... [the local Board of Elections shall contact the voter]”) should be rewritten to refer to errors on (or in) an absentee ballot *envelope*. Ballots themselves cannot be traced to a particular voter.

(continued)

- **If two ballots are received from the same voter, count the one that arrives first:** A similar provision was adopted in 2020 on an emergency basis and should be made permanent. It is much fairer than the previous practice of discarding both ballots, which can disenfranchise voters unnecessarily.
- **Absentee ballots may not be rejected simply because of a non-standard or incomplete return envelope:** Official return envelopes are sometimes accidentally misplaced, recycled, or discarded. That should not disqualify an otherwise acceptable ballot from being counted.

In summary, the League of Women Voters urges a favorable report on SB 831, the Election Reform Act of 2021.