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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB379: Canvassing Reintroduction
House Ways and Means Committee
Tuesday, March 28, 2023 1PM

Former Gov. Larry Hogan's unexpected veto of SB163, an emergency [canvassing bill](#) (2022), caused inexcusable delays in the certification of Primary Election results-- until more than four and a half weeks after Election Day!

Maryland is unique among states in our prohibition on starting to process mail-in ballots until **after** Election Day. Our residents reasonably expect to have their ballots counted accurately, transparently, and in a timely manner. They also expect election results on Election Night-- or very soon afterwards.

Early canvassing has become critical as our laws now allow "no-excuse absentee ballots." More and more Marylanders are choosing to have a ballot mailed to them rather than traveling to a polling place to vote in person. In the 2018 Primary Election, a paltry 30,122 ballots were cast by mail; by contrast in the 2022 primary, due to both the COVID-19 pandemic and the increased interest in voting from home, the number of mail-in ballots exploded to 346,114-- a whopping tenfold increase.

[SB379](#) would initiate the canvassing of mail-in ballots eight days before the start of Early Voting. This bill is essentially the same as the version we passed last year, but with three changes worth noting:

- Require local boards of elections to log mail-in ballots as soon as practicable (and not later than two business days) to reassure voters that their ballots have been received. This will also help to reduce the number of provisional ballots.
- Ensuring that only the first "legally sufficient" ballot from a voter is counted
- Permit smaller counties with fewer ballots to seek a waiver from the SBE Administrator, who could determine that early canvassing is not necessary there

Rather than emergency canvassing regulations by the SBE Board followed by lawsuits, this bill would provide an answer to delays in vote tabulation. Mail-in ballots must be tabulated in a timely manner, especially as we expect mail-in voting to continue to rise.

This bill passed the Senate (33-11) on March 14, 2023.

I urge a favorable report on SB379.