

HB0115/743324/1

BY: Delegate Grammer

AMENDMENTS TO HOUSE BILL 115
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “**Individuals**” in line 2 down through “**of**” in line 3; in line 3, after “**Registration**” insert “**and Conduct of Elections**”; in line 11, before “and” insert “repealing the requirements that the Baltimore City centralized booking facility provide a ballot drop box to eligible voters and the State Board of Elections provide a ballot drop box to the Baltimore City centralized booking facility; repealing the requirement that each local board of elections designate locations in the county at which ballot drop boxes will be placed and submit the proposed locations to the State Administrator of Elections; repealing security requirements and procedures relating to ballot drop boxes; repealing provisions of law governing permanent absentee ballot status; repealing the authority to conduct special elections by mail; establishing requirements related to proof of citizenship of individuals registering to vote, voter identification, absentee ballot signature verification, audits of the statewide voter registration list, and the conduct of municipal elections; establishing requirements related to proof of citizenship of individuals registering to vote, voter identification, absentee ballot signature verification, audits of the statewide voter registration list, and the conduct of municipal elections; restricting absentee voting to individuals who are unable to vote in person due to certain circumstances; establishing prohibitions related to the return of absentee ballots, the counting of absentee ballots, and municipal voter registration of individuals who are not citizens of the United States;”; strike beginning with “automatic” in line 11 down through “facilities” in line 12 and substitute “voter registration and the conduct of elections”; after line 12, insert:

“BY repealing

Article – Correctional Services

Section 2–501 and the subtitle “Subtitle 5. Ballot Drop Box”

Annotated Code of Maryland

(2025 Replacement Volume)

BY repealing

Article – Election Law

Section 1–101(d–1), 1–303.1, 2–304, 2–305, 3–204(c)(4)(iii)7., and 9–311.1; 9–501 through 9–507 and the subtitle “Subtitle 5. Voting by Mail in Special Elections”; and 16–206(a)(11) and (12)

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement”;

in line 20, strike “3–203.1” and substitute “2–111, 3–201.1, 3–203.1, 3–504.1, 9–303(b)(12), 9–310.1, 9–310.2, and 9–407.1”; and after line 22, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 3–403(a) and 9–303(a)

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

BY adding to

Article – Local Government

Section 4–108.6 and 4–108.7

Annotated Code of Maryland

(2013 Volume and 2025 Supplement)

Preamble

WHEREAS, Free and fair elections are the cornerstone of representative democracy; and

WHEREAS, Maryland citizens must have confidence that only eligible voters are registered and permitted to cast ballots; and

WHEREAS, Uniform safeguards are necessary to prevent fraud, protect transparency, and ensure every legal vote is counted; and

WHEREAS, Secure and transparent procedures, audits, and chain of custody protections are required to maintain public trust in Maryland's election system; and

WHEREAS, The purpose of this Act is to strengthen voter identification requirements, correct and prevent voter registration violations, secure absentee voting, mandate auditable, verifiable elections, ensure municipal elections meet statewide standards, protect the chain of custody of ballots, and affirm that only U.S. citizens may vote in Maryland elections; now, therefore,."

AMENDMENT NO. 2

On page 1, before line 23, insert:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2-501 and the subtitle "Subtitle 5. Ballot Drop Box" of Article – Correctional Services of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 1-101(d-1), 1-303.1, 2-304, 2-305, and 9-311.1; and 9-501 through 9-507 and the subtitle "Subtitle 5. Voting by Mail in Special Elections" of Article – Election Law of the Annotated Code of Maryland be repealed."

in line 23, strike "1." and substitute "3. AND"; in the same line, after "IT" insert "FURTHER"; and in the same line, strike "BY THE GENERAL ASSEMBLY OF MARYLAND".

On page 2, after line 23, insert:

"2-111.

(A) THE STATE BOARD SHALL ESTABLISH A PROGRAM TO ISSUE PHOTO IDENTIFICATION FOR VOTING PURPOSES TO A RESIDENT OF THE STATE ON REQUEST.

(B) THE PHOTO IDENTIFICATION ISSUED UNDER THIS SECTION SATISFIES THE IDENTIFICATION REQUIREMENT FOR VOTING IN PERSON AT A POLLING PLACE UNDER § 10-310(B)(2) OF THIS ARTICLE.

(C) THE STATE BOARD SHALL ALLOW INDIVIDUALS TO OBTAIN THE PHOTO IDENTIFICATION UNDER THIS SECTION AT ANY PUBLIC LIBRARY IN THE STATE.

(D) THE STATE BOARD AND EACH COUNTY PUBLIC LIBRARY SYSTEM SHALL COLLABORATE TO OPERATE THE PROGRAM.

(E) THE STATE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

2-303.1.

(b) An election plan shall include:

(1) a polling place plan that meets the requirements of subsection (c) of this section;

(2) [a ballot drop box plan developed in accordance with § 2-304 of this subtitle;

(3)] an early voting center plan that meets the requirements of subsection (d) of this section; and

[(4)] (3) an analysis of how to maximize voter participation in the county and each precinct.

3-201.1.

(A) THE STATE BOARD SHALL ADOPT REGULATIONS ESTABLISHING A PROCESS THROUGH WHICH AN INDIVIDUAL WHO APPLIES TO REGISTER TO VOTE THROUGH A METHOD AUTHORIZED UNDER THIS TITLE SHALL PROVIDE DOCUMENTARY PROOF THAT THE INDIVIDUAL IS A CITIZEN OF THE UNITED STATES.

(B) AN INDIVIDUAL MAY NOT BECOME REGISTERED TO VOTE UNTIL THE INDIVIDUAL PROVIDES THE DOCUMENTATION OF CITIZENSHIP REQUIRED BY REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION.”.

On page 3, after line 26, insert:

“3-204.

(c) (4) The student voting plan shall include:

(iii) reasonable accommodation and collaboration with the local board regarding:

6. public education campaign; AND

[7. ballot drop box siting; and]

[8.] 7. any other factors relating to the conduct of an election;

3-402.

This subtitle does not apply to a municipal corporation that:

(1) [does not require voter registration for its elections;

(2)] prior to January 1, 1990, used the voter registry supplied by the local board as qualification for voting in municipal elections; or

[(3)] (2) provides for the local board to conduct municipal elections.

3-403.

(Over)

(a) A voter residing in a municipal corporation is considered to be registered for elections in that municipal corporation if the voter is included on the statewide voter registration list at an address within the municipal corporation.

3-504.1.

(A) BEFORE EACH STATEWIDE PRIMARY ELECTION, THE STATE BOARD SHALL CONDUCT A COMPREHENSIVE AUDIT OF THE STATEWIDE VOTER REGISTRATION LIST.

(B) THE AUDIT SHALL SEEK TO DETECT AND REMOVE FROM THE STATEWIDE VOTER REGISTRATION LIST:

(1) DUPLICATE REGISTRATIONS;

(2) DECEASED INDIVIDUALS;

(3) NONRESIDENTS OF THE STATE; AND

(4) INDIVIDUALS WHO ARE NOT CITIZENS OF THE UNITED STATES.

(C) THE AUDIT SHALL INCLUDE IDENTIFYING INDIVIDUALS WHO ARE NOT CITIZENS OF THE UNITED STATES ON THE STATEWIDE VOTER REGISTRATION LIST BY REVIEWING DATA FROM THE JURY COMMISSIONERS ON INDIVIDUALS WHO REPORT TO THE JURY COMMISSIONERS THAT THEY ARE NOT CITIZENS OF THE UNITED STATES.

(D) THE AUDIT SHALL BE COMPLETED AT LEAST 90 DAYS BEFORE EACH STATEWIDE PRIMARY ELECTION.

(E) PROMPTLY AFTER THE CONCLUSION OF EACH AUDIT, THE STATE BOARD SHALL PUBLISH ON ITS WEBSITE A REPORT DESCRIBING THE RESULTS OF THE AUDIT, INCLUDING THE NUMBER OF VOTER REGISTRATION RECORDS INVESTIGATED, UPDATED, AND REMOVED.

9-303.

(a) The State Board shall establish guidelines for the administration of absentee voting by the local boards.

(b) The guidelines shall provide for:

(10) storage and retention of ballots following canvass and certification;

[and]

(11) the permanent absentee ballot list; AND

(12) VERIFICATION OF SIGNATURES ON ABSENTEE BALLOT ENVELOPES.

9-304.

An individual may vote by absentee ballot except to the extent preempted under an applicable federal law AND ONLY IF THE INDIVIDUAL IS UNABLE TO VOTE IN PERSON DUE TO ONE OR MORE OF THE FOLLOWING CIRCUMSTANCES:

- (1) ABSENCE FROM THE STATE;**
- (2) ILLNESS OR PHYSICAL DISABILITY;**
- (3) RELIGIOUS OBSERVANCE;**
- (4) PREGNANCY;**
- (5) CAREGIVING TO ANOTHER INDIVIDUAL;**
- (6) JURY DUTY;**
- (7) INCARCERATION;**
- (8) SERVICE IN THE UNIFORMED SERVICES;**

(Over)

(9) PARTICIPATION IN THE POLITICAL PROCESS; OR

(10) DISLOCATION DUE TO A NATURAL DISASTER OR OTHER EMERGENCY.

9-305.

(a) **(1) A voter may request an absentee ballot by completing and submitting:**

[(1) (I) the State Board approved absentee ballot application;

[(2) (II) a form provided under federal law;

[(3) (III) subject to subsection (b) of this section, a written request that includes:

[(i) 1. the voter's name, residence address, and signature;
and

[(ii) 2. the address to which the ballot is to be mailed, if different from the residence address; or

[(4) (IV) the accessible online absentee ballot application provided by the State Board.

(2) A REQUEST FOR AN ABSENTEE BALLOT SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A SIGNED OATH AFFIRMING THAT THE VOTER QUALIFIES TO VOTE BY ABSENTEE BALLOT UNDER § 9-304 OF THIS SUBTITLE.

9-310.1.

AN ABSENTEE BALLOT MAY NOT BE RETURNED TO A LOCAL BOARD THROUGH A BALLOT DROP BOX.

9-310.2.

(A) A LOCAL BOARD MAY NOT REMOVE AN ABSENTEE BALLOT FROM THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE OR COUNT THE BALLOT UNLESS:

(1) THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE IS SIGNED BY THE VOTER TO WHOM THE BALLOT WAS ISSUED; AND

(2) THE VOTER'S SIGNATURE IS VERIFIED AS PROVIDED IN SUBSECTION (B) OF THIS SECTION.

(B) EACH LOCAL BOARD SHALL VERIFY THE SIGNATURE OF THE VOTER ON THE RETURN ENVELOPE OR BALLOT/RETURN ENVELOPE BY COMPARING THE SIGNATURE WITH THE VOTER'S REGISTRATION RECORD IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE BOARD.

9-407.1.

PROMPTLY FOLLOWING EACH STATEWIDE ELECTION, THE STATE BOARD SHALL PUBLISH A REPORT ON ITS WEBSITE THAT INCLUDES THE NUMBER OF:

(1) VOTERS WHO PROVIDED IDENTIFICATION AT A POLLING PLACE AS REQUIRED UNDER § 10-310(B)(2) OF THIS ARTICLE;

(2) VOTERS WHO CAST A PROVISIONAL BALLOT UNDER § 9-404(B)(2)(III) OF THIS SUBTITLE AND SUBSEQUENTLY PROVIDED IDENTIFICATION TO THE LOCAL BOARD, RESULTING IN THE PROVISIONAL BALLOT BEING COUNTED; AND

(3) VOTERS WHO CAST A PROVISIONAL BALLOT UNDER § 9-404(B)(2)(III) OF THIS SUBTITLE AND SUBSEQUENTLY FAILED TO PROVIDE IDENTIFICATION TO THE LOCAL BOARD, RESULTING IN REJECTION OF THE PROVISIONAL BALLOT.

10-310.

(a) For each individual who seeks to vote, an election judge, in accordance with instructions provided by the local board, shall:

(1) locate the individual's name in the election register and locate the preprinted voting authority card and then [authorize the individual to vote a regular ballot] ESTABLISH THE VOTER'S IDENTITY AS PROVIDED IN SUBSECTION (B) OF THIS SECTION; AND

(2) (i) if the individual's name is not found on the election register, search the inactive list and if the name is found, [authorize the individual to vote a regular ballot] ESTABLISH THE VOTER'S IDENTITY AS PROVIDED IN SUBSECTION (B) OF THIS SECTION; or

(ii) if the individual's name is not on the inactive list, refer the individual for provisional ballot voting under § 9-404 of this article[;].

[(3) (B) THE ELECTION JUDGE SHALL establish the VOTER'S identity [of the voter] by:

(1) requesting the voter to state the month and day of the voter's birth and comparing the response to the information listed in the election register;

(2) REQUIRING THE VOTER TO PRESENT:

(I) A VALID GOVERNMENT-ISSUED PHOTO IDENTIFICATION, INCLUDING PHOTO IDENTIFICATION ISSUED UNDER § 2-111 OF THIS ARTICLE; OR

(II) THE VOTER'S VOTER NOTIFICATION CARD AND A CURRENT UTILITY BILL, BANK STATEMENT, GOVERNMENT CHECK, PAYCHECK, OR OTHER GOVERNMENT DOCUMENT WITH THE VOTER'S NAME AND CURRENT ADDRESS;

[(4) (3) (i) except if a voter's personal information has been deemed confidential by the local board, verify the address of the voter's residence; or

(ii) conduct an alternative verification as established by the State Board, if the voter's personal information has been deemed confidential by the local board;

[(5)] (4) if any changes to the voting authority card are indicated by a voter, make the appropriate changes in information on the card or other appropriate form; and

[(6)] (5) have the voter sign the voting authority card and either issue the voter a ballot or send the voter to a machine to vote.

[(b)] (C) (1) [On] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, ON the completion of the procedures set forth in [subsection (a)] SUBSECTIONS (A) AND (B) of this section, [a] THE ELECTION JUDGE SHALL AUTHORIZE THE INDIVIDUAL TO VOTE A REGULAR BALLOT.

(2) A voter may vote A REGULAR BALLOT in accordance with the procedures appropriate to the voting system used in the polling place.

(D) THE ELECTION JUDGE SHALL REFER THE INDIVIDUAL FOR A PROVISIONAL BALLOT UNDER § 9-404 OF THIS ARTICLE IF THE VOTER IS UNABLE TO PROVIDE IDENTIFICATION AS REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION.

[(c)] (E) (1) Before a voter enters a voting booth, at the request of the voter, an election judge shall:

(i) instruct the voter about the operation of the voting system;
and

(ii) allow the voter an opportunity to operate a model voting device, if appropriate to the voting system in use.

(2) (i) 1. After a voter enters the voting booth, at the request of the voter, two election judges representing different political parties shall instruct the voter on the operation of the voting device.

2. An election judge may not suggest in any way how the voter should vote for a particular ticket, candidate, or position on a question.

3. After instructing the voter, the election judges shall exit the voting booth and allow the voter to vote privately.

(ii) A voter may take into the polling place any written or printed material to assist the voter in marking or preparing the ballot.

(3) (i) Except as provided in subparagraph (ii) of this paragraph, a voter who requires assistance in marking or preparing the ballot because of a physical disability or an inability to read the English language may choose any individual to assist the voter.

(ii) A voter may not choose the voter's employer or agent of that employer or an officer or agent of the voter's union to assist the voter in marking the ballot.

(4) If the voter requires the assistance of another in voting but declines to select an individual to assist, an election judge, in the presence of another election judge that represents another political party, shall assist the voter in the manner prescribed by the voter.

(5) An individual assisting a voter may not suggest in any way how the voter should vote for a particular ticket, candidate, or position on a question.

(6) If a voter requires assistance under paragraph (4) or (5) of this subsection, the election judge shall record, on a form prescribed by the State Board, the name of the voter who required assistance and the name of the individual providing assistance to the voter.

(7) Except as provided in paragraph (3) or (4) of this subsection, an individual over the age of 17 years may not accompany a voter into a voting booth.

16-206.

(a) A person may not:

(9) possess on or before the day of election an official ballot printed for the election, unless the possession of the ballot is necessary and appropriate for carrying out the election process; OR

(10) canvass, electioneer, or post any campaign material in the polling place or beyond a line established by signs posted in accordance with subsection (b) of this section[;

(11) canvass, electioneer, or post any campaign material in a manner that obstructs access to a ballot drop box; or

(12) place any campaign material or any other unauthorized material on a ballot drop box].

Article – Local Government

4-108.6.

(A) THE STATE BOARD OF ELECTIONS SHALL ADOPT REGULATIONS ESTABLISHING UNIFORM STANDARDS FOR THE CONDUCT OF MUNICIPAL ELECTIONS.

(B) THE REGULATIONS SHALL BE SUBSTANTIALLY SIMILAR TO THE STATUTES AND REGULATIONS THAT GOVERN STATE ELECTIONS, MODIFIED AS NECESSARY AND APPROPRIATE FOR MUNICIPAL ELECTIONS.

(C) THE REGULATIONS SHALL INCLUDE:

(1) VOTER IDENTIFICATION REQUIREMENTS FOR IN-PERSON VOTERS;

(2) VOTER REGISTRATION LIST MAINTENANCE;

(3) BALLOT SECURITY AND CHAIN OF CUSTODY PROCEDURES; AND

(Over)

(4) ELECTION AUDITS.

(D) THE STATE BOARD OF ELECTIONS SHALL CONDUCT OVERSIGHT OF MUNICIPAL ELECTIONS TO ENSURE COMPLIANCE WITH THESE REGULATIONS.

4-108.7.

(A) EACH MUNICIPALITY SHALL REQUIRE VOTER REGISTRATION FOR ITS ELECTIONS.

(B) AN INDIVIDUAL MAY NOT BECOME REGISTERED TO VOTE IN A MUNICIPAL ELECTION IF THE INDIVIDUAL IS NOT A CITIZEN OF THE UNITED STATES.;

and in line 27, strike "2." and substitute "4.".