

SENATE BILL 670

G1

(6lr1896)

ENROLLED BILL

— Education, Energy, and the Environment / Government, Labor, and Elections —

Introduced by **Senator Kagan**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Election Law – ~~Local Board of Elections Employees~~ Authority at Polling**
3 **Places, Early Voting Centers, and Counting Centers – Revisions**

4 FOR the purpose of requiring a police officer who is on duty at a polling place to obey the
5 authority of ~~a local board of elections employee~~ the State Administrator or the State
6 Administrator's designee, the Deputy State Administrator, or a local election director
7 ~~or the local election director's designee~~; providing that ~~local board employees, while~~
8 ~~-serving, in~~ a polling place, certain persons *individuals* have the authority to keep
9 the peace and order the arrest of certain persons; ~~authorizing~~ requiring a local board
10 ~~employees~~ election director, while serving in a polling place, to protect certain rights
11 of; challengers and watchers; authorizing a local election director, while serving in a
12 polling place, to deny admission of; and eject certain challengers and watchers from
13 a polling place under certain circumstances; altering the types of persons that may
14 designate a registered voter as an accredited challenger or watcher at each polling
15 place; authorizing certain persons to designate accredited challengers or watchers at

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 ~~early voting centers and canvassing locations; altering the persons that may~~
 2 ~~designate a registered voter as an observer at each counting center; and generally~~
 3 ~~relating to the authority of local board employees persons at polling places, early~~
 4 ~~voting centers, and counting centers.~~

5 BY repealing and reenacting, with amendments,
 6 Article – Election Law
 7 Section 10–304 ~~and, 10–311(d) and (e)~~ 10–311, and 11–301(a–1)(2)
 8 Annotated Code of Maryland
 9 (2022 Replacement Volume and 2025 Supplement)

10 BY adding to
 11 Article – Election Law
 12 Section 10–307.1
 13 Annotated Code of Maryland
 14 (2022 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, without amendments,
 16 Article – Election Law
 17 Section 11–301(a–1)(1)
 18 Annotated Code of Maryland
 19 (2022 Replacement Volume and 2025 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 21 That the Laws of Maryland read as follows:

22 Article – Election Law

23 10–304.

24 (a) (1) A police officer who is on duty at a polling place shall obey the order of
 25 an election judge for that polling place ~~OR A LOCAL BOARD EMPLOYEE, THE STATE~~
 26 ~~ADMINISTRATOR OR THE STATE ADMINISTRATOR’S DESIGNEE, THE DEPUTY STATE~~
 27 ~~ADMINISTRATOR, OR A LOCAL ELECTION DIRECTOR OR THE LOCAL ELECTION~~
 28 ~~DIRECTOR’S DESIGNEE.~~

29 (2) A police officer making an arrest under an order of an election judge ~~OR~~
 30 ~~A LOCAL BOARD EMPLOYEE, THE STATE ADMINISTRATOR OR THE STATE~~
 31 ~~ADMINISTRATOR’S DESIGNEE, THE DEPUTY STATE ADMINISTRATOR, OR A LOCAL~~
 32 ~~ELECTION DIRECTOR OR THE LOCAL ELECTION DIRECTOR’S DESIGNEE~~ is fully
 33 protected in so doing as if the police officer received a valid warrant to make the arrest.

34 (b) A police officer who is on duty at a polling place shall protect a challenger or
 35 watcher in the discharge of the duties of the challenger or watcher.

36 **10–307.1.**

1 (A) ~~WHILE SERVING IN~~ IN A POLLING PLACE, ~~A LOCAL BOARD EMPLOYEE~~
 2 ~~THE STATE ADMINISTRATOR OR THE STATE ADMINISTRATOR'S DESIGNEE, THE~~
 3 ~~DEPUTY STATE ADMINISTRATOR, OR A LOCAL ELECTION DIRECTOR OR THE LOCAL~~
 4 ~~ELECTION DIRECTOR'S DESIGNEE~~ HAS THE AUTHORITY TO:

5 (1) KEEP THE PEACE; AND

6 (2) ORDER THE ARREST OF ANY PERSON WHO:

7 (I) BREACHES THE PEACE;

8 (II) BREACHES ANY PROVISION OF THIS ARTICLE; OR

9 (III) INTERFERES WITH THE WORK OF THE ELECTION JUDGES IN
 10 CONDUCTING THE ELECTION AND CARRYING OUT THEIR ASSIGNED TASKS.

11 (B) (1) WHILE SERVING IN A POLLING PLACE, A LOCAL ~~BOARD EMPLOYEE~~
 12 ~~ELECTION DIRECTOR~~ ~~MAY~~ SHALL PROTECT A CHALLENGER OR WATCHER IN THE
 13 EXERCISE OF THE RIGHTS OF A CHALLENGER OR WATCHER AS PROVIDED IN §
 14 10-311 OF THIS SUBTITLE.

15 (2) (I) A LOCAL ~~BOARD EMPLOYEE~~ ELECTION DIRECTOR IS NOT
 16 REQUIRED TO ADMIT A CHALLENGER OR WATCHER TO A POLLING PLACE BEFORE
 17 THE POLLS OPEN IF THE CHALLENGER OR WATCHER WAS NOT PRESENT AT THE
 18 POLLING PLACE AT LEAST 30 MINUTES BEFORE ITS OPENING.

19 (II) A LOCAL ~~BOARD EMPLOYEE~~ ELECTION DIRECTOR MAY
 20 REQUIRE CHALLENGERS AND WATCHERS TO LEAVE A POLLING PLACE BEFORE IT
 21 OPENS IF THE LOCAL ~~BOARD EMPLOYEE~~ ELECTION DIRECTOR HAS REASON TO
 22 BELIEVE THAT THE PRESENCE OF THE CHALLENGERS AND WATCHERS WILL
 23 PREVENT THE TIMELY OPENING OF THE POLLING PLACE.

24 (C) A LOCAL ~~BOARD EMPLOYEE~~ ELECTION DIRECTOR MAY EXERCISE THE
 25 AUTHORITY UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION INDEPENDENT OF
 26 AN ELECTION JUDGE ASSIGNED TO THE POLLING PLACE.

27 10-311.

28 (a) (1) The following persons [or entities] have the right to designate a
 29 registered voter as [a] AN ACCREDITED challenger or a watcher at each POLLING place
 30 [of registration and election]; OR EARLY VOTING CENTER, AND CANVASSING LOCATION:

1 (i) the State Board for any [polling place] LOCATION in the State;

2 (ii) a local board for any [polling place located] LOCATION in the
 3 county of the local board;

4 (iii) a candidate FOR ANY LOCATION WHERE THE CANDIDATE IS
 5 INCLUDED ON THE BALLOT;

6 (iv) a political party; [and]

7 (v) [any other group of voters supporting or opposing a candidate,
 8 principle, or proposition on the ballot] A POLITICAL COMMITTEE; AND

9 (VI) A PERSON REQUIRED TO FILE REPORTS UNDER § 13-306 OR
 10 § 13-307 OF THIS ARTICLE.

11 (2) A person who appoints [a] AN ACCREDITED challenger or watcher may
 12 remove the challenger or watcher at any time.

13 (b) Except as provided in § 10-303(d)(2) of this subtitle and subsection (d) of this
 14 section, [a] AN ACCREDITED challenger or watcher ~~has the right to~~ MAY:

15 (1) enter the polling place OR EARLY VOTING CENTER one-half hour
 16 before the polls open;

17 (2) enter or be present at the polling place OR EARLY VOTING CENTER at
 18 any time when the polls are open;

19 (3) remain in the polling place OR EARLY VOTING CENTER until the
 20 completion of all tasks associated with the close of the polls under § 10-314 of this subtitle
 21 and the election judges leave the polling place OR EARLY VOTING CENTER;

22 (4) maintain a list of registered voters who have voted, or individuals who
 23 have cast provisional ballots, and take the list outside of the polling place OR EARLY
 24 VOTING CENTER; and

25 (5) enter and leave a polling place OR EARLY VOTING CENTER for the
 26 purpose of taking outside of the polling place OR EARLY VOTING CENTER information that
 27 identifies registered voters who have cast ballots or individuals who have cast provisional
 28 ballots.

29 (c) (1) (i) A certificate signed by [any party or candidate] A DESIGNATING
 30 PERSON shall be sufficient evidence of the right of [a] AN ACCREDITED challenger or
 31 watcher to be present in the voting room ~~OR CANVASSING ROOM.~~

1 (ii) The State Board shall prescribe a form that shall be supplied to
2 the ACCREDITED challenger or watcher by the DESIGNATING person [or entity
3 designating the challenger or watcher].

4 (III) A DESIGNATING PERSON SHALL SUBMIT A COPY OF THE
5 CERTIFICATE OF AN ACCREDITED CHALLENGER OR WATCHER TO THE APPROPRIATE
6 LOCAL BOARD BEFORE THE ACCREDITED CHALLENGER OR WATCHER MAY ENTER
7 THE VOTING ROOM ~~OR CANVASSING ROOM.~~

8 (2) A challenger or watcher shall be positioned near the election judges and
9 inside the voting room so that the challenger or watcher may see and hear each person as
10 the person offers to vote.

11 (d) (1) A challenger or watcher may not attempt to:

12 (i) ascertain how a voter voted or intends to vote;

13 (ii) converse in the polling place OR EARLY VOTING CENTER with
14 any voter;

15 (iii) assist any voter in voting; or

16 (iv) physically handle an original election document OR VOTING
17 EQUIPMENT.

18 (2) An election judge OR A LOCAL ~~BOARD-EMPLOYEE~~ ELECTION
19 DIRECTOR may eject a challenger or watcher who violates the prohibitions under
20 paragraph (1) of this subsection.

21 (e) (1) Except as provided in paragraphs (2) and (3) of this subsection, an
22 election judge shall [permit] **ALLOW** an individual other than an accredited challenger or
23 watcher who desires to challenge the right to vote of any other individual to enter the
24 polling place OR EARLY VOTING CENTER for that purpose.

25 (2) A majority of the election judges OR A LOCAL ~~BOARD-EMPLOYEE~~
26 ELECTION DIRECTOR may limit the number of nonaccredited challengers and watchers
27 allowed in the polling place OR EARLY VOTING CENTER at any one time for the purpose
28 of challenging the right of an individual to vote.

29 (3) A nonaccredited challenger or watcher shall leave the polling place OR
30 EARLY VOTING CENTER as soon as a majority of the election judges OR A LOCAL ~~BOARD~~
31 EMPLOYEE ELECTION DIRECTOR decides the right to vote of the individual challenged
32 by the challenger or watcher.

(4) In addition to restrictions provided under this subsection, all restrictions on the actions of an accredited challenger or watcher provided under this subtitle apply to a nonaccredited challenger or watcher.

11-301.

(a-1) (1) Subject to paragraph (3) of this subsection, a board of canvassers and the staff of a local board may be observed as they complete each part of the canvass by authorized observers designated under paragraph (2) of this subsection and any other individuals who wish to be present.

(2) The following [individuals or entities] PERSONS have the right to designate a registered voter as an observer at each counting center:

(i) a candidate FOR ANY COUNTY WHERE THE CANDIDATE IS INCLUDED ON THE BALLOT;

(ii) a political party; [and]

(iii) [any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot] A POLITICAL COMMITTEE; AND

(IV) A PERSON REQUIRED TO FILE REPORTS UNDER § 13-306 OR § 13-307 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2026.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.