

HOUSE BILL 247

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HB 142/20 – W&M

(PRE-FILED)

By: **Delegate Guyton**

Requested: July 8, 2020

Introduced and read first time: January 13, 2021

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 16, 2021

CHAPTER _____

1 AN ACT concerning

2 **Election Law – ~~Voting Order Priority – Individuals Who Need Extra Assistance~~**
3 **Accommodations for Voters in Need of Assistance**

4 FOR the purpose of requiring that certain training materials used by the program of
5 instruction for election judges include oral and written instruction in certain
6 methods an election judge may use to accommodate voters in need of assistance;
7 requiring the State Board of Elections to develop a certain sign; requiring that a
8 certain sign be a certain size and posted in a certain location; requiring a chief
9 election judge to give voting order priority to certain individuals; authorizing certain
10 individuals to request voting order priority of any election judge serving at a polling
11 place or early voting center; requiring the State Board of Elections to adopt certain
12 regulations; and generally relating to voting order priority for individuals with
13 mobility problems or accompanied by children with a disability making conforming
14 and stylistic changes; and generally relating to accommodations for voters in need of
15 assistance.

16 BY repealing and reenacting, with amendments,
17 Article – Election Law
18 Section 10-206 and 10-306
19 Annotated Code of Maryland
20 (2017 Replacement Volume and 2020 Supplement)

21 BY adding to
22 Article – Election Law

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.



Section 10–309.1
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

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

Article – Election Law

10–206.

(a) In consultation with the local boards, the State Board shall:

(1) develop a program of instruction of election judges; and

(2) oversee the implementation of the program of instruction.

(b) (1) The training materials [utilized] USED by the program may include:

[(1)] (I) an instruction manual and other written directives;

[(2)] (II) curriculum for training sessions; and

[(3)] (III) audiovisuals.

(2) THE TRAINING MATERIALS USED BY THE PROGRAM SHALL
INCLUDE ORAL AND WRITTEN INSTRUCTION IN THE VARIOUS METHODS AN
ELECTION JUDGE MAY USE TO ACCOMMODATE VOTERS IN NEED OF ASSISTANCE AT
A POLLING SITE, INCLUDING THE ABILITY TO PROVIDE:

(I) INDIVIDUALIZED ACCOMMODATIONS AT THE REQUEST OF
AN ELDERLY OR DISABLED VOTER OR AN INDIVIDUAL WHO ACCOMPANIES AN
ELDERLY OR DISABLED VOTER; AND

(II) VOTING ORDER PRIORITY IN ACCORDANCE WITH § 10–309.1
OF THIS TITLE.

(c) The State Board shall develop a process for the evaluation of the training
program and the performance of the polling place staff in each county.

(d) To the extent appropriate, the training program shall be specific to each of the
voting systems used in polling places in the State.

(e) The State Board shall provide election judges with uniform statewide training
on the voting system, including:

(1) all features of the voting system that provide access to voters with disabilities; and

(2) the rights of voters with disabilities, including those rights guaranteed by State and federal law.

(f) Each local board shall conduct election judge training based on the program developed by the State Board.

(g) (1) Except as provided in paragraph (2) of this subsection, each election judge shall participate in the training program provided for in subsection (a) of this section.

(2) An election judge who is appointed under emergency circumstances is not required to attend the course of instruction.

10-306.

(a) (1) The State Board, in consultation with the election directors of the local boards, shall specify and produce the following informational materials to be posted in each polling place:

(i) a specimen ballot for that precinct;

(ii) instructions relating to the availability of [assistance to elderly and disabled] **ACCOMMODATIONS FOR voters IN NEED OF ASSISTANCE IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION;**

(iii) information regarding the date of the election and the hours during which the polling places will be open;

(iv) instructions on how to vote, including how to cast a vote;

(v) instructions for mail-in registrants and first-time voters;

(vi) general information on voting rights under applicable federal and State laws and instructions on how to contact the appropriate local board if these rights are alleged to have been violated;

(vii) information regarding provisional voting, including:

1. information on the right of an individual to cast a provisional ballot;

2. how to fill out the provisional ballot application and cast the provisional ballot; and

3. the standards that will be applied in determining whether a provisional ballot will be counted; and

(viii) general information on federal and State laws regarding prohibitions on acts of fraud and misrepresentation.

(2) A local board may produce other materials appropriate for the polling places in the county.

(B) (1) THE STATE BOARD SHALL DEVELOP A SIGN THAT STATES THE VARIOUS METHODS ELECTION JUDGES MAY USE TO ACCOMMODATE VOTERS IN NEED OF ASSISTANCE IN VOTING, INCLUDING THE ABILITY TO PROVIDE:

(I) INDIVIDUALIZED ACCOMMODATIONS AT THE REQUEST OF AN ELDERLY OR DISABLED VOTER OR AN INDIVIDUAL WHO ACCOMPANIES AN ELDERLY OR DISABLED VOTER; AND

(II) VOTING ORDER PRIORITY IN ACCORDANCE WITH § 10-309.1 OF THIS SUBTITLE.

(2) THE SIGN REQUIRED TO BE DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE:

(I) AT A MINIMUM, 24 INCHES BY 36 INCHES IN SIZE; AND

(II) POSTED PROMINENTLY AT THE ENTRANCE OF EACH POLLING SITE.

[(b)] (C) Before the polls open, the election judges for each precinct shall post all information specified under [subsection] SUBSECTIONS (a) AND (B) of this section.

10-309.1.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A CHIEF ELECTION JUDGE SHALL GIVE VOTING ORDER PRIORITY TO AN INDIVIDUAL:

(1) WHO HAS A MOBILITY PROBLEM THAT SUBSTANTIALLY IMPAIRS THE INDIVIDUAL'S ABILITY TO MOVE AROUND OR STAND;

(2) WHO IS ASSISTING AN INDIVIDUAL DESCRIBED UNDER ITEM (1) OF THIS SUBSECTION; OR

(3) WHO IS ACCOMPANIED BY A CHILD WITH A DISABILITY.

1 **(B) AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION**
2 **MAY REQUEST VOTING ORDER PRIORITY OF ANY ELECTION JUDGE SERVING AT THE**
3 **POLLING PLACE OR EARLY VOTING CENTER.**

4 **(C) THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS**
5 **SECTION, INCLUDING:**

6 ~~**(1) METHODS FOR PROVIDING NOTICE OF THE OPTION TO REQUEST**~~
7 ~~**VOTING ORDER PRIORITY TO VOTERS BEFORE AN ELECTION, AT EACH POLLING**~~
8 ~~**PLACE ON ELECTION DAY, AND AT EACH EARLY VOTING CENTER DURING EARLY**~~
9 ~~**VOTING; AND**~~

10 ~~**(2) TRAINING GUIDELINES FOR ELECTION JUDGES.**~~

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.