

# HOUSE BILL 362

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By: **Montgomery County Delegation**

Introduced and read first time: January 19, 2022

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Voting Methods**

3 **MC 13–22**

4 FOR the purpose of authorizing the Montgomery County Council to adopt, by law, a ranked  
5 choice voting method or an approval voting method for elections for certain local  
6 offices; and generally relating to the use of ranked choice voting or approval voting  
7 for elections for local offices in Montgomery County.

8 BY repealing and reenacting, with amendments,  
9 Article – Election Law  
10 Section 8–101 and 9–204  
11 Annotated Code of Maryland  
12 (2017 Replacement Volume and 2021 Supplement)

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

15 **Article – Election Law**

16 8–101.

17 (a) Under the supervision of the State Board, and in accordance with regulations  
18 and procedures adopted by the State Board, a local board shall conduct all elections held  
19 under this article in the county in which the board is located.

20 (b) Except where it would be inappropriate, or as otherwise provided in this  
21 article, the electoral process for primary elections, general elections, and special elections  
22 shall be uniform.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(C) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "APPROVAL VOTING" MEANS A METHOD OF CASTING AND TABULATING VOTES IN WHICH VOTERS MAY CHOOSE ANY NUMBER OF CANDIDATES AND THE CANDIDATE CHOSEN MOST OFTEN IS ELECTED.

(III) "RANKED CHOICE VOTING" MEANS A METHOD OF CASTING AND TABULATING VOTES IN WHICH VOTERS RANK CANDIDATES IN ORDER OF PREFERENCE AND VOTES ARE TABULATED IN A MANNER THAT REFLECTS VOTER PREFERENCE.

(2) THE MONTGOMERY COUNTY COUNCIL MAY, BY LAW, ADOPT A RANKED CHOICE VOTING SYSTEM OR AN APPROVAL VOTING SYSTEM FOR ELECTIONS FOR ANY ONE OR MORE OF THE FOLLOWING OFFICES:

(I) COUNTY EXECUTIVE;

(II) MEMBER OF THE COUNTY COUNCIL;

(III) JUDGE OF THE CIRCUIT COURT;

(IV) STATE'S ATTORNEY;

(V) CLERK OF THE CIRCUIT COURT;

(VI) REGISTER OF WILLS;

(VII) SHERIFF; AND

(VIII) MEMBER OF THE BOARD OF EDUCATION.

(3) A LOCAL LAW ENACTED UNDER THIS SUBSECTION MAY PROVIDE FOR:

(I) THE BALLOT FORMAT;

(II) PROCEDURES FOR TABULATING VOTES; AND

(III) ANY OTHER PROVISION NECESSARY TO IMPLEMENT RANKED CHOICE VOTING OR APPROVAL VOTING.

(4) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL

1 **PROVIDE FOR AN EDUCATIONAL CAMPAIGN EXPLAINING HOW TO VOTE USING**  
2 **RANKED CHOICE VOTING OR APPROVAL VOTING.**

3 9–204.

4 (a) Subject to the other provisions of this subtitle and to different presentations  
5 required or made desirable by different voting systems, all ballots used in an election shall  
6 be as uniform as possible.

7 (b) Except as otherwise specifically provided in this title, or unless a provision is  
8 clearly inappropriate to absentee ballots, the provisions of this subtitle relating to ballot  
9 content and arrangement shall apply to the arrangement of absentee ballots.

10 (c) If applicable for the voting system in use, the appropriate components of the  
11 voting system shall be configured for a primary election to permit the voter to vote only for  
12 the candidates for which the voter is entitled to vote.

13 **(D) THE MONTGOMERY COUNTY COUNCIL MAY, BY A LAW ADOPTED IN**  
14 **ACCORDANCE WITH § 8–101(C) OF THIS ARTICLE, PROVIDE FOR THE FORMAT OF**  
15 **BALLOTS TO BE USED IN AN ELECTION CONDUCTED BY RANKED CHOICE VOTING OR**  
16 **APPROVAL VOTING.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 January 1, 2023.