

HOUSE BILL 800

G1

4lr1495
CF SB 660

By: **Delegate Smith**

Introduced and read first time: January 31, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Voting Rights Act of 2024 – Counties and Municipalities**

3 FOR the purpose of prohibiting local governments from denying or impairing the right of a
4 protected class member to vote; requiring the Attorney General to approve or deny
5 proposed local government remedies to address certain violations; establishing
6 requirements on the State Board of Elections and local governments related to the
7 provision of language-related assistance in local government elections; requiring the
8 Attorney General or the Circuit Court for Anne Arundel County to review and grant
9 preclearance to certain policies before enactment or implementation; prohibiting acts
10 of intimidation or obstruction that interfere with the right to vote; requiring the
11 State Board to conduct a certain needs assessment and award certain grants;
12 establishing the Voting Rights Act Implementation Grant Fund as a nonlapsing
13 special fund; requiring the interest earnings of the Fund to be credited to the Fund;
14 and generally relating to voting rights in counties and municipalities.

15 BY adding to

16 Article – Election Law

17 Section 15.5–101 through 15.5–703 to be under the new title “Title 15.5. Voting
18 Rights Act – Counties and Municipalities”

19 Annotated Code of Maryland

20 (2022 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, without amendments,

22 Article – State Finance and Procurement

23 Section 6–226(a)(2)(i)

24 Annotated Code of Maryland

25 (2021 Replacement Volume and 2023 Supplement)

26 BY repealing and reenacting, with amendments,

27 Article – State Finance and Procurement

28 Section 6–226(a)(2)(ii) 189. and 190.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)191.
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

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

Article – Election Law

TITLE 15.5. VOTING RIGHTS ACT – COUNTIES AND MUNICIPALITIES.

SUBTITLE 1. DEFINITIONS AND GENERAL PROVISIONS.

15.5–101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED UNLESS A DIFFERENT MEANING IS CLEARLY INTENDED FROM THE
CONTEXT.

(B) (1) “ALTERNATIVE METHOD OF ELECTION” MEANS A METHOD OF
ELECTING CANDIDATES TO THE GOVERNING BODY OF A LOCAL GOVERNMENT OTHER
THAN AN AT-LARGE METHOD OF ELECTION OR A DISTRICT-BASED METHOD OF
ELECTION.

(2) “ALTERNATIVE METHOD OF ELECTION” INCLUDES
PROPORTIONAL RANKED-CHOICE VOTING, CUMULATIVE VOTING, AND LIMITED
VOTING.

(C) (1) “AT-LARGE METHOD OF ELECTION” MEANS A METHOD OF
ELECTING CANDIDATES TO THE GOVERNING BODY OF A LOCAL GOVERNMENT IN
WHICH THE CANDIDATES ARE VOTED ON BY ALL VOTERS OF THE LOCAL
GOVERNMENT.

(2) “AT-LARGE METHOD OF ELECTION” INCLUDES A METHOD OF
ELECTION THAT COMBINES AT-LARGE AND DISTRICT-BASED ELECTIONS.

(3) “AT-LARGE METHOD OF ELECTION” DOES NOT INCLUDE AN
ALTERNATIVE METHOD OF ELECTION.

1 (D) "ATTORNEY GENERAL" MEANS THE ATTORNEY GENERAL AND THE
2 OFFICE OF THE ATTORNEY GENERAL.

3 (E) "COURT" MEANS THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY.

4 (F) "DISPARITY" MEANS VARIANCE THAT IS SUPPORTED BY VALIDATED
5 METHODOLOGIES AND, WHERE RELEVANT, IS STATISTICALLY SIGNIFICANT.

6 (G) "DISTRICT-BASED METHOD OF ELECTION" MEANS A METHOD OF
7 ELECTING CANDIDATES TO THE GOVERNING BODY OF A LOCAL GOVERNMENT IN
8 WHICH, FOR LOCAL GOVERNMENTS DIVIDED INTO DISTRICTS, A CANDIDATE FOR
9 ANY DISTRICT IS REQUIRED TO RESIDE IN THE DISTRICT AND CANDIDATES
10 REPRESENTING OR SEEKING TO REPRESENT THE DISTRICT ARE VOTED ON BY ONLY
11 THE VOTERS OF THE DISTRICT.

12 (H) "FEDERAL VOTING RIGHTS ACT" MEANS THE FEDERAL VOTING
13 RIGHTS ACT OF 1965.

14 (I) "GOVERNING BODY" MEANS:

15 (1) FOR BALTIMORE CITY, THE CITY COUNCIL OF BALTIMORE CITY;

16 (2) FOR A CHARTER COUNTY, THE COUNTY COUNCIL;

17 (3) FOR A CODE HOME RULE COUNTY, THE COUNTY COMMISSIONERS;

18 (4) FOR A COMMISSION COUNTY, THE COUNTY COMMISSIONERS;

19 (5) FOR A MUNICIPALITY, THE REPRESENTATIVE BODY PROVIDED
20 UNDER THE MUNICIPAL CHARTER; AND

21 (6) FOR A COUNTY BOARD OF EDUCATION, THE ELECTED VOTING
22 MEMBERS OF THE COUNTY BOARD OF EDUCATION.

23 (J) "LIMITED ENGLISH PROFICIENT" MEANS THAT AN INDIVIDUAL SPEAKS,
24 READS, OR UNDERSTANDS ENGLISH LESS THAN "VERY WELL" AS REPORTED IN U.S.
25 CENSUS BUREAU DATA OR DATA OF COMPARABLE QUALITY COLLECTED BY A
26 PUBLIC OFFICE.

27 (K) "LOCAL GOVERNMENT" MEANS:

28 (1) A MUNICIPALITY OR COUNTY, AS THOSE TERMS ARE DEFINED IN §
29 1-101 OF THE LOCAL GOVERNMENT ARTICLE; OR

(2) A COUNTY BOARD OF EDUCATION, AS DEFINED IN § 1-101 OF THE EDUCATION ARTICLE.

(L) (1) "METHOD OF ELECTION" MEANS A METHOD BY WHICH CANDIDATES ARE ELECTED TO THE GOVERNING BODY OF A LOCAL GOVERNMENT.

(2) "METHOD OF ELECTION" INCLUDES:

(I) AN AT-LARGE METHOD OF ELECTION;

(II) A DISTRICT-BASED METHOD OF ELECTION, INCLUDING THE CONFIGURATION OF ANY DISTRICTS USED TO ELECT CANDIDATES TO THE GOVERNING BODY OF A LOCAL GOVERNMENT; OR

(III) AN ALTERNATIVE METHOD OF ELECTION.

(M) "PROTECTED CLASS" MEANS A CLASS OF CITIZENS WHO ARE MEMBERS OF A RACE, COLOR, OR LANGUAGE MINORITY GROUP, INCLUDING A CLASS COMPOSED OF MEMBERS OF TWO OR MORE MINORITY GROUPS, AS REFERENCED IN THE FEDERAL VOTING RIGHTS ACT.

(N) "RACIALLY POLARIZED VOTING" MEANS VOTING IN WHICH THERE IS A DIVERGENCE BETWEEN THE CANDIDATE OR ELECTORAL CHOICE PREFERRED BY PROTECTED CLASS VOTERS AND THE CANDIDATE OR ELECTORAL CHOICE PREFERRED BY OTHER VOTERS.

15.5-102.

(A) THE PROVISIONS OF THIS TITLE APPLY TO A MUNICIPALITY IN THE STATE IN WHICH THE MUNICIPAL OR CHARTER ELECTIONS ARE REGULATED BY THE PUBLIC LOCAL LAWS OF THE STATE OR THE CHARTER OF THE MUNICIPALITY.

(B) STATUTES, RULES AND REGULATIONS, AND LOCAL LAWS, TOWN CHARTERS, OR ORDINANCES RELATED TO THE RIGHT TO VOTE SHALL BE CONSTRUED LIBERALLY IN FAVOR OF:

(1) PROTECTING THE RIGHT TO CAST A BALLOT;

(2) ENSURING THAT ELIGIBLE VOTERS ARE NOT IMPAIRED IN REGISTERING TO VOTE OR VOTING, INCLUDING HAVING THEIR VOTES COUNTED; AND

(3) ENSURING PROTECTED CLASS VOTERS EQUITABLE ACCESS TO OPPORTUNITIES TO REGISTER TO VOTE AND TO VOTE.

15.5–103.

TO THE EXTENT THAT A COURT IS AFFORDED DISCRETION IN ANY QUESTION, INCLUDING QUESTIONS RELATED TO DISCOVERY, PROCEDURE, ADMISSIBILITY OF EVIDENCE, AND REMEDIES, THE COURT SHALL EXERCISE THE DISCRETION IN FAVOR OF:

(1) PROTECTING THE RIGHT TO CAST A BALLOT;

(2) ENSURING THAT ELIGIBLE VOTERS ARE NOT IMPAIRED IN REGISTERING TO VOTE OR VOTING, INCLUDING HAVING THEIR VOTES COUNTED; AND

(3) ENSURING PROTECTED CLASS VOTERS EQUITABLE ACCESS TO OPPORTUNITIES TO REGISTER TO VOTE AND TO VOTE.

15.5–104.

IF ANY PROVISION OF THIS TITLE OR ITS APPLICATION TO ANY PERSON, LOCAL GOVERNMENT, OR CIRCUMSTANCE IS HELD TO BE INVALID BY A COURT OF COMPETENT JURISDICTION, THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS TITLE THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END, THE PROVISIONS OF THIS TITLE ARE SEVERABLE.

SUBTITLE 2. VOTER DISCRIMINATION.

15.5–201.

(A) A LOCAL GOVERNMENT OR ENTITY RESPONSIBLE FOR ELECTION ADMINISTRATION MAY NOT DENY OR IMPAIR THE RIGHT TO VOTE OF PROTECTED CLASS MEMBERS THROUGH ANY:

(1) QUALIFICATION FOR ELIGIBILITY TO BE A VOTER OR OTHER PREREQUISITE TO VOTING;

(2) ORDINANCE, REGULATION, OR OTHER LAW REGARDING THE ADMINISTRATION OF ELECTIONS, OR ANY STANDARD, PRACTICE, PROCEDURE, OR POLICY; OR

(3) ACTION OR INACTION.

(B) THE FOLLOWING ACTIONS BY A LOCAL GOVERNMENT SHALL CONSTITUTE A VIOLATION OF SUBSECTION (A) OF THIS SECTION:

(1) IMPLEMENTATION, ENFORCEMENT, ENACTMENT, OR USE OF A QUALIFICATION FOR ELIGIBILITY TO BE A VOTER OR OTHER PREREQUISITE TO VOTING, OR AN ORDINANCE, A REGULATION, OR ANOTHER LAW REGARDING THE ADMINISTRATION OF ELECTIONS, OR ANY STANDARD, PRACTICE, PROCEDURE, OR POLICY THAT:

(I) RESULTS, WILL RESULT, OR IS INTENDED TO RESULT IN ANY DISPARITY THAT IS NOT DE MINIMIS AND IS DEMONSTRATED BY VALIDATED METHODOLOGIES, OR REDUCTION IN VOTER PARTICIPATION, ACCESS TO VOTING OPPORTUNITIES, OR ABILITY TO PARTICIPATE IN THE POLITICAL PROCESS AMONG PROTECTED CLASS MEMBERS IN A JURISDICTION; OR

(II) BASED ON THE TOTALITY OF THE CIRCUMSTANCES, RESULTS IN ANY IMPAIRMENT OF THE OPPORTUNITY OR ABILITY OF PROTECTED CLASS MEMBERS TO PARTICIPATE IN THE POLITICAL PROCESS AND ELECT CANDIDATES OF THEIR CHOICE OR OTHERWISE INFLUENCE THE OUTCOME OF ELECTIONS; OR

(2) IMPLEMENTATION, ENFORCEMENT, ENACTMENT, OR USE OF A QUALIFICATION FOR ELIGIBILITY TO BE A VOTER OR OTHER PREREQUISITE TO VOTING, OR AN ORDINANCE, A REGULATION, OR ANOTHER LAW REGARDING THE ADMINISTRATION OF ELECTIONS, OR ANY STANDARD, PRACTICE, PROCEDURE, OR POLICY THAT HAS THE PURPOSE OF, OR WILL HAVE THE EFFECT OF, IMPAIRING THE ABILITY OF ANY PROTECTED CLASS VOTER TO PARTICIPATE IN THE ELECTORAL PROCESS, NOMINATE, OR ELECT THE PREFERRED CANDIDATES OF CHOICE OF THE PROTECTED CLASS VOTER.

15.5-202.

(A) A LOCAL GOVERNMENT MAY NOT EMPLOY ANY METHOD OF ELECTION OR CAUSE AN ANNEXATION, AN INCORPORATION, A DISSOLUTION, A CONSOLIDATION, OR A DIVISION OF A LOCAL GOVERNMENT THAT HAS THE EFFECT OF IMPAIRING THE EQUAL ABILITY OF PROTECTED CLASS MEMBERS TO PARTICIPATE IN THE POLITICAL PROCESS AND ELECT CANDIDATES OF THEIR CHOICE AS A RESULT OF DILUTING THE VOTE OF THE PROTECTED CLASS MEMBERS.

(B) A LOCAL GOVERNMENT VIOLATES SUBSECTION (A) OF THIS SECTION WHEN:

1 (1) (I) ELECTIONS IN THE LOCAL GOVERNMENT EXHIBIT RACIALLY
2 POLARIZED VOTING; OR

3 (II) BASED ON THE TOTALITY OF THE CIRCUMSTANCES, THE
4 OPPORTUNITY OR ABILITY OF PROTECTED CLASS MEMBERS TO NOMINATE OR ELECT
5 CANDIDATES OF THEIR CHOICE IS IMPAIRED; AND

6 (2) ONE OR MORE NEW METHODS OF ELECTION OR MODIFICATION TO
7 THE EXISTING METHOD OF ELECTION EXIST THAT THE COURT COULD ORDER IN
8 ACCORDANCE WITH § 15.5-204 OF THIS SUBTITLE THAT WOULD LIKELY MITIGATE
9 THE IMPAIRMENT OF THE EQUAL OPPORTUNITY OF PROTECTED CLASS MEMBERS TO
10 NOMINATE OR ELECT CANDIDATES OF THEIR CHOICE.

11 (C) IT IS NOT NECESSARY TO SHOW THAT MEMBERS OF A PROTECTED CLASS
12 COMPRISE A MAJORITY IN ANY OF THE PROPOSED DISTRICTS IF A NEW METHOD OF
13 ELECTION OR MODIFICATION TO THE EXISTING METHOD OF ELECTIONS DESCRIBED
14 UNDER PARAGRAPH (B)(2) OF THIS SECTION IS A NEW DISTRICT-BASED PLAN THAT
15 PROVIDES MEMBERS OF A PROTECTED CLASS WITH ONE OR MORE REASONABLY
16 CONFIGURED DISTRICTS IN WHICH THEY WOULD HAVE AN EQUAL OPPORTUNITY OR
17 ABILITY TO NOMINATE OR ELECT CANDIDATES OF THEIR CHOICE.

18 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, TO
19 DETERMINE WHETHER RACIALLY POLARIZED VOTING BY PROTECTED CLASS
20 VOTERS IN A LOCAL GOVERNMENT ELECTION OCCURS, THE COURT SHALL:

21 (I) CONSIDER ELECTIONS HELD BEFORE THE FILING OF AN
22 ACTION AS MORE PROBATIVE THAN ELECTIONS CONDUCTED AFTER THE FILING;

23 (II) CONSIDER EVIDENCE CONCERNING ELECTIONS FOR ANY
24 OFFICE IN THE LOCAL GOVERNMENT, INCLUDING EXECUTIVE, LEGISLATIVE,
25 JUDICIAL, AND OTHER OFFICES OF THE LOCAL GOVERNMENT, AS MORE PROBATIVE
26 THAN EVIDENCE CONCERNING ELECTIONS FOR OTHER OFFICES;

27 (III) AFFORD PROBATIVE VALUE TO EVIDENCE CONCERNING
28 ELECTIONS FOR OFFICES IN THE LOCAL GOVERNMENT OTHER THAN THOSE
29 IDENTIFIED IN ITEM (II) OF THIS PARAGRAPH;

30 (IV) CONSIDER STATISTICAL EVIDENCE AS MORE PROBATIVE
31 THAN NONSTATISTICAL EVIDENCE, BUT STILL AFFORD PROBATIVE VALUE TO
32 NONSTATISTICAL EVIDENCE;

33 (V) CONSIDER STATISTICAL EVIDENCE BASED ON ELECTION

DATA AS MORE PROBATIVE THAN STATISTICAL EVIDENCE BASED ON SURVEY DATA,
BUT STILL AFFORD PROBATIVE VALUE TO EVIDENCE BASED ON SURVEY DATA; AND

(VI) IN THE CASE OF CLAIMS BROUGHT ON BEHALF OF TWO OR
MORE PROTECTED CLASSES THAT ARE POLITICALLY COHESIVE WITHIN THE
ELECTION DISTRICT OF THE LOCAL GOVERNMENT, COMBINE VOTERS OF THE
PROTECTED CLASSES TO DETERMINE WHETHER VOTING BY MEMBERS OF THE
COMBINED PROTECTED CLASSES IS POLARIZED FROM OTHER VOTERS AND WITHOUT
REQUIRING EVIDENCE THAT EACH PROTECTED CLASS IS SEPARATELY POLARIZED
FROM OTHER VOTERS.

(2) IN DETERMINING WHETHER RACIALLY POLARIZED VOTING BY
PROTECTED CLASS VOTERS IN A LOCAL GOVERNMENT ELECTION OCCURS, THE
COURT MAY NOT:

(I) REQUIRE EVIDENCE CONCERNING THE INTENT OF VOTERS,
ELECTED OFFICIALS, OR THE LOCAL GOVERNMENT TO DISCRIMINATE AGAINST
PROTECTED CLASS VOTERS;

(II) REQUIRE EVIDENCE OF EXPLANATIONS FOR VOTING
PATTERNS AND ELECTION OUTCOMES TO PROVE THE EXISTENCE OF RACIALLY
POLARIZED VOTING, INCLUDING PARTISANSHIP;

(III) CONSIDER EVIDENCE THAT SUBGROUPS OF PROTECTED
CLASS ELECTORS HAVE DIFFERENT VOTING PATTERNS;

(IV) CONSIDER EVIDENCE CONCERNING WHETHER PROTECTED
CLASS VOTERS ARE GEOGRAPHICALLY COMPACT OR CONCENTRATED, BUT MAY USE
THE EVIDENCE TO APPROPRIATELY REMEDY A VIOLATION UNDER THIS SECTION; OR

(V) CONSIDER EVIDENCE CONCERNING PROJECTED CHANGES
IN POPULATION OR DEMOGRAPHICS, BUT MAY USE THE EVIDENCE TO
APPROPRIATELY REMEDY A VIOLATION UNDER THIS SECTION.

15.5–203.

(A) (1) IN DETERMINING WHETHER, BASED ON THE TOTALITY OF THE
CIRCUMSTANCES, A VIOLATION OF § 15.5–201 OR § 15.5–202 OF THIS SUBTITLE HAS
OCCURRED WITH RESPECT TO A PROTECTED CLASS, THE COURT MAY CONSIDER THE
FOLLOWING FACTORS:

(I) THE HISTORY OF DISCRIMINATION AFFECTING MEMBERS
OF A PROTECTED CLASS;

1 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
2 EXTENT TO WHICH PROTECTED CLASS VOTERS HAVE BEEN ELECTED TO OFFICE;

3 (III) THE USE OF ANY QUALIFICATION FOR ELIGIBILITY TO BE A
4 VOTER OR OTHER PREREQUISITE TO VOTING, OR ANY STATUTE, ORDINANCE,
5 REGULATION, OR OTHER LAW REGARDING THE ADMINISTRATION OF ELECTIONS, OR
6 ANY RELATED STANDARD, PRACTICE, PROCEDURE, OR POLICY BY THE LOCAL
7 GOVERNMENT THAT MAY ENHANCE THE DILUTIVE EFFECTS OF A METHOD OF
8 ELECTION;

9 (IV) THE EXTENT TO WHICH CANDIDATES WHO ARE MEMBERS OF
10 THE PROTECTED CLASS HAVE FACED BARRIERS WITH RESPECT TO BALLOT ACCESS,
11 FINANCIAL SUPPORT, OR OTHER SUPPORT FOR AN ELECTION;

12 (V) THE EXTENT TO WHICH PROTECTED CLASS MEMBERS IN
13 THE STATE VOTE AT LOWER RATES THAN OTHER VOTERS IN THE STATE, AS
14 APPLICABLE;

15 (VI) THE EXTENT TO WHICH PROTECTED CLASS INDIVIDUALS
16 BEAR THE EFFECTS OF DISCRIMINATION, PUBLIC OR PRIVATE, IN AREAS SUCH AS
17 EDUCATION, EMPLOYMENT, HEALTH, CRIMINAL JUSTICE, HOUSING,
18 TRANSPORTATION, LAND USE, OR ENVIRONMENTAL PROTECTION;

19 (VII) THE USE OF OVERT OR SUBTLE RACIAL APPEALS IN
20 POLITICAL CAMPAIGNS, BY GOVERNMENT OFFICIALS, OR SURROUNDING ADOPTION
21 OR MAINTENANCE OF THE CHALLENGED PRACTICE;

22 (VIII) THE EXTENT TO WHICH CANDIDATES FACE HOSTILITY OR
23 BARRIERS ON ACCOUNT OF THEIR MEMBERSHIP IN A PROTECTED CLASS WHILE
24 CAMPAIGNING;

25 (IX) A LACK OF RESPONSIVENESS BY ELECTED OFFICIALS TO
26 THE PARTICULARIZED NEEDS OF PROTECTED CLASS INDIVIDUALS, INCLUDING A
27 LACK OF CONCERN FOR OR RESPONSIVENESS TO THE REQUESTS AND PROPOSALS
28 OF THE GROUP, WITHOUT CONSIDERING COMPLIANCE WITH A COURT ORDER AS
29 EVIDENCE OF RESPONSIVENESS ON THE PART OF THE JURISDICTION;

30 (X) WHETHER THE PARTICULAR METHOD OF ELECTION,
31 ORDINANCE, REGULATION, OR OTHER LAW, OR RELATED STANDARD, PRACTICE,
32 PROCEDURE, OR POLICY WAS DESIGNED TO ADVANCE AND MATERIALLY ADVANCES
33 A VALID AND SUBSTANTIATED STATE INTEREST; AND

(XI) OTHER FACTORS AS THE COURT MAY DETERMINE TO BE RELEVANT.

(2) (I) A FACTOR IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE CONSIDERED DISPOSITIVE OR NECESSARY TO ESTABLISH THE EXISTENCE OF A VIOLATION.

(II) NO NUMBER OR COMBINATION OF FACTORS IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION MAY BE REQUIRED TO ESTABLISH THE EXISTENCE OF A VIOLATION.

(III) THE ABSENCE OF EVIDENCE AS TO ANY FACTOR IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION MAY NOT PRECLUDE A FINDING OF LIABILITY.

(3) FOR EACH FACTOR IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION, A FACTOR SHALL BE:

(I) AFFORDED THE MOST PROBATIVE VALUE IF IT RELATES TO THE LOCAL GOVERNMENT UNDER CONSIDERATION; AND

(II) AFFORDED PROBATIVE VALUE IF THE FACTOR RELATES TO THE GEOGRAPHIC REGION IN WHICH THE LOCAL GOVERNMENT IS LOCATED OR THE STATE AS A WHOLE.

(B) IN DETERMINING WHETHER A VIOLATION OF THIS SUBTITLE HAS OCCURRED, THE COURT MAY NOT CONSIDER:

(1) THE NUMBER OF PROTECTED CLASS MEMBERS UNAFFECTED BY THE CHALLENGED QUALIFICATION, PREREQUISITE, STANDARD, PRACTICE, OR PROCEDURE;

(2) THE DEGREE TO WHICH THE CHALLENGED QUALIFICATION, PREREQUISITE, STANDARD, PRACTICE, OR PROCEDURE HAS A LONG PEDIGREE OR WAS IN WIDESPREAD USE AT SOME EARLIER DATE;

(3) THE USE OF AN IDENTICAL OR SIMILAR QUALIFICATION, PREREQUISITE, STANDARD, PRACTICE, OR PROCEDURE IN OTHER STATES OR JURISDICTIONS;

(4) THE AVAILABILITY OF OTHER FORMS OF VOTING UNIMPACTED BY THE CHALLENGED QUALIFICATION, PREREQUISITE, STANDARD, PRACTICE, OR PROCEDURE TO ALL MEMBERS OF THE ELECTORATE, INCLUDING MEMBERS OF THE

1 PROTECTED CLASS, UNLESS THE JURISDICTION IS SIMULTANEOUSLY EXPANDING
2 THE OTHER PRACTICES TO ELIMINATE ANY DISPROPORTIONATE BURDEN IMPOSED
3 BY THE CHALLENGED QUALIFICATION, PREREQUISITE, STANDARD, PRACTICE, OR
4 PROCEDURE; AND

5 (5) UNSUBSTANTIATED DEFENSES THAT THE QUALIFICATION,
6 PREREQUISITE, STANDARD, PRACTICE, OR PROCEDURE IS NECESSARY TO ADDRESS
7 CRIMINAL ACTIVITY.

8 15.5–204.

9 (A) THE FOLLOWING PERSONS MAY FILE AN ACTION UNDER THIS SUBTITLE
10 IN THE COURT:

11 (1) AN AGGRIEVED PERSON;

12 (2) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS LIKELY
13 TO INCLUDE AGGRIEVED PERSONS;

14 (3) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED BY A
15 VIOLATION OF THIS SUBTITLE;

16 (4) AN ORGANIZATION THAT WOULD EXPEND RESOURCES IN ORDER
17 TO FULFILL ITS MISSION AS A RESULT OF A VIOLATION OF THIS SUBTITLE; OR

18 (5) THE ATTORNEY GENERAL.

19 (B) (1) NOTWITHSTANDING ANY OTHER LAW, IF THE COURT FINDS A
20 VIOLATION OF THIS SUBTITLE, THE COURT SHALL ORDER APPROPRIATE REMEDIES
21 THAT ARE TAILORED TO ADDRESS THE VIOLATION IN THE LOCAL GOVERNMENT AND
22 ENSURE THAT PROTECTED CLASS VOTERS HAVE EQUITABLE ACCESS TO FULLY
23 PARTICIPATE IN THE ELECTORAL PROCESS, WHICH MAY INCLUDE:

24 (I) A DISTRICT–BASED METHOD OF ELECTION;

25 (II) AN ALTERNATIVE METHOD OF ELECTION;

26 (III) NEW OR REVISED DISTRICTING PLANS;

27 (IV) ELIMINATION OF STAGGERED ELECTIONS SO THAT ALL
28 MEMBERS OF THE GOVERNING BODY ARE ELECTED AT THE SAME TIME;

29 (V) REASONABLY INCREASING THE SIZE OF THE GOVERNING

1 BODY;

2 (VI) ADDITIONAL VOTING HOURS OR DAYS;

3 (VII) ADDITIONAL POLLING LOCATIONS;

4 (VIII) ADDITIONAL MEANS OF VOTING, SUCH AS VOTING BY MAIL
5 OR ADDITIONAL OPPORTUNITIES TO RETURN BALLOTS;

6 (IX) ORDERING OF SPECIAL ELECTIONS;

7 (X) REQUIRING EXPANDED OPPORTUNITIES FOR THE
8 ADMISSION OF VOTERS;

9 (XI) REQUIRING ADDITIONAL VOTER EDUCATION;

10 (XII) THE RESTORATION OR ADDITION OF PERSONS TO A VOTER
11 REGISTRY; OR

12 (XIII) PREVENTING THE REORGANIZATION, ANNEXATION,
13 INCORPORATION, DISSOLUTION, CONSOLIDATION, OR DIVISION OF A LOCAL
14 GOVERNMENT.

15 (2) (I) THE COURT SHALL CONSIDER REMEDIES PROPOSED BY
16 ANY PARTIES TO AN ACTION OR BY INTERESTED PARTIES FILED UNDER THIS
17 SECTION.

18 (II) THE COURT MAY NOT GIVE DEFERENCE OR PRIORITY TO A
19 PROPOSED REMEDY BECAUSE IT IS THE REMEDY PROPOSED BY THE LOCAL
20 GOVERNMENT.

21 (III) THE COURT SHALL HAVE THE POWER TO REQUIRE A LOCAL
22 GOVERNMENT TO IMPLEMENT REMEDIES THAT ARE INCONSISTENT WITH ANY
23 OTHER PROVISION OF STATE OR LOCAL LAW WHERE THE INCONSISTENT PROVISION
24 OF LAW WOULD OTHERWISE PRECLUDE THE COURT FROM ORDERING AN
25 APPROPRIATE REMEDY IN THE MATTER.

26 15.5–205.

27 (A) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, BEFORE
28 FILING AN ACTION AGAINST A LOCAL GOVERNMENT UNDER THIS SUBTITLE, A PARTY
29 DESCRIBED IN § 15.5–204(A) OF THIS SUBTITLE SHALL SEND BY CERTIFIED MAIL,
30 RETURN RECEIPT REQUESTED, A NOTIFICATION LETTER TO THE LOCAL

1 GOVERNMENT:

2 (I) ASSERTING THAT THE LOCAL GOVERNMENT MAY BE IN
3 VIOLATION OF THE PROVISIONS OF THIS TITLE;

4 (II) IDENTIFYING THE POTENTIAL VIOLATIONS;

5 (III) IDENTIFYING THE AFFECTED PROTECTED CLASS; AND

6 (IV) IDENTIFYING THE TYPE OF REMEDY THAT THE PARTY
7 BELIEVES WILL ADDRESS THE ALLEGED VIOLATIONS.

8 (2) (I) THE PARTY MAY NOT FILE AN ACTION UNDER THIS SECTION
9 WITHIN 60 DAYS AFTER SENDING A NOTIFICATION LETTER TO THE LOCAL
10 GOVERNMENT.

11 (II) THE LOCAL GOVERNMENT SHALL WORK IN GOOD FAITH
12 WITH THE PARTY TO IMPLEMENT A REMEDY THAT CURES THE ALLEGED
13 VIOLATIONS.

14 (III) WITHIN 60 DAYS AFTER A NOTIFICATION LETTER IS SENT TO
15 A LOCAL GOVERNMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE
16 GOVERNING BODY OF THE LOCAL GOVERNMENT MAY PASS A RESOLUTION:

17 1. AFFIRMING THE LOCAL GOVERNMENT'S INTENTION
18 TO ENACT AND IMPLEMENT A REMEDY FOR A POTENTIAL VIOLATION OF THE
19 PROVISIONS OF THIS TITLE;

20 2. ESTABLISHING SPECIFIC MEASURES THAT THE LOCAL
21 GOVERNMENT WILL TAKE TO FACILITATE APPROVAL AND IMPLEMENTATION OF A
22 REMEDY; AND

23 3. PROVIDING A SCHEDULE FOR THE ENACTMENT AND
24 IMPLEMENTATION OF THE REMEDY.

25 (3) A PARTY DESCRIBED UNDER § 15.5-204(A) OF THIS SUBTITLE MAY
26 NOT FILE AN ACTION UNDER THIS SUBTITLE UNTIL 90 DAYS AFTER THE PASSAGE OF
27 ANY RESOLUTION BY THE GOVERNING BODY UNDER PARAGRAPH (2) OF THIS
28 SUBSECTION.

29 (4) (I) IF A LOCAL GOVERNMENT IS A COVERED JURISDICTION OR,
30 UNDER THE LAWS OF THIS STATE OR ANY CODE HOME RULE OR CHARTER COUNTY
31 ORDINANCE, THE GOVERNING BODY OF A LOCAL GOVERNMENT LACKS AUTHORITY

1 TO ENACT OR IMPLEMENT A REMEDY IDENTIFIED IN A RESOLUTION UNDER
2 PARAGRAPH (2)(III) OF THIS SUBSECTION WITHIN 90 DAYS AFTER THE PASSAGE OF
3 THE RESOLUTION, THE GOVERNING BODY OF THE LOCAL GOVERNMENT MAY
4 APPROVE A PROPOSED REMEDY UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION
5 THAT COMPLIES WITH THE PROVISIONS OF THIS TITLE AND SHALL SUBMIT THE
6 PROPOSED REMEDY TO THE ATTORNEY GENERAL.

7 (II) WITHIN 60 DAYS AFTER SUBMISSION OF A PROPOSED
8 REMEDY BY A LOCAL GOVERNMENT TO THE ATTORNEY GENERAL UNDER
9 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE ATTORNEY GENERAL SHALL
10 APPROVE THE PROPOSED REMEDY IF THE ATTORNEY GENERAL CONCLUDES THAT:

11 1. THE LOCAL GOVERNMENT MAY BE IN VIOLATION OF
12 THE PROVISIONS OF THIS TITLE;

13 2. THE PROPOSED REMEDY WOULD ADDRESS A
14 POTENTIAL VIOLATION;

15 3. THE PROPOSED REMEDY WILL NOT IMPAIR THE
16 ABILITY OF PROTECTED CLASS VOTERS TO PARTICIPATE IN THE POLITICAL
17 PROCESS AND ELECT THEIR PREFERRED CANDIDATES TO OFFICE; AND

18 4. IMPLEMENTATION OF THE PROPOSED REMEDY IS
19 FEASIBLE.

20 (III) 1. IF THE ATTORNEY GENERAL APPROVES THE
21 PROPOSED REMEDY, THE PROPOSED REMEDY MAY BE ENACTED BY THE LOCAL
22 GOVERNMENT.

23 2. THE ATTORNEY GENERAL'S APPROVAL OF A REMEDY
24 DOES NOT BAR AN ACTION TO CHALLENGE THE REMEDY.

25 (IV) IF THE ATTORNEY GENERAL REJECTS THE PROPOSED
26 REMEDY:

27 1. THE PROPOSED REMEDY MAY NOT BE ENACTED OR
28 IMPLEMENTED;

29 2. THE ATTORNEY GENERAL SHALL SPECIFY THE
30 OBJECTIONS TO THE PROPOSED REMEDY AND EXPLAIN THE BASIS FOR THE DENIAL;
31 AND

32 3. THE ATTORNEY GENERAL MAY RECOMMEND AND

1 APPROVE ANOTHER PROPOSED REMEDY.

2 (v) IF THE ATTORNEY GENERAL DOES NOT APPROVE THE
3 PROPOSED REMEDY WITHIN 60 DAYS AFTER THE SUBMISSION OF THE PROPOSED
4 REMEDY BY THE LOCAL GOVERNMENT, THE PROPOSED REMEDY MAY NOT BE
5 ENACTED OR IMPLEMENTED.

6 (B) A PARTY DESCRIBED IN § 15.5–204(A) OF THIS SUBTITLE MAY FILE AN
7 ACTION UNDER THIS SUBTITLE WITHOUT FIRST PROVIDING THE NOTICE REQUIRED
8 UNDER SUBSECTION (A) OF THIS SECTION IF:

9 (1) THE ACTION IS COMMENCED WITHIN 1 YEAR AFTER THE
10 ENACTMENT OF THE CHALLENGED METHOD OF ELECTION, STANDARD, PRACTICE,
11 OR POLICY;

12 (2) ANOTHER PARTY DESCRIBED IN § 15.5–204(A) OF THIS SUBTITLE
13 HAS SUBMITTED NOTICE ALLEGING A SUBSTANTIALLY SIMILAR VIOLATION;

14 (3) THE LOCAL GOVERNMENT HAS ENACTED A REMEDY THAT WOULD
15 NOT REMEDY THE VIOLATION ALLEGED IN A PARTY'S PREVIOUS NOTICE; OR

16 (4) RELIEF WOULD BE IMPOSSIBLE TO OBTAIN IF THE NOTICE UNDER
17 SUBSECTION (A) OF THIS SECTION WAS REQUIRED.

18 (C) THE ATTORNEY GENERAL MAY ADOPT REGULATIONS TO CARRY OUT
19 THIS SUBTITLE, INCLUDING REGULATIONS TO PROVIDE FOR NOTICE AND COMMENT
20 PROCEDURES THAT LOCAL GOVERNMENTS ARE REQUIRED TO FOLLOW BEFORE
21 IMPLEMENTING REMEDIES UNDER THIS SUBTITLE.

22 15.5–206.

23 IF A LOCAL GOVERNMENT ENACTS OR IMPLEMENTS A REMEDY, THE PARTY
24 THAT SENT A NOTIFICATION LETTER UNDER § 15.5–205(A) OF THIS SUBTITLE SHALL
25 BE ENTITLED TO REIMBURSEMENT BY THE LOCAL GOVERNMENT FOR REASONABLE
26 COSTS ASSOCIATED WITH PRODUCING AND SENDING THE NOTIFICATION LETTER.

27 SUBTITLE 3. LANGUAGE ASSISTANCE.

28 15.5–301.

29 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE STATE BOARD
30 SHALL DETERMINE WHETHER THERE IS A SIGNIFICANT AND SUBSTANTIAL NEED
31 FOR LANGUAGE-RELATED ASSISTANCE IN ONE OR MORE LANGUAGES OTHER THAN

ENGLISH IN A LOCAL GOVERNMENT ELECTION.

(B) THE STATE BOARD SHALL DETERMINE THAT A SIGNIFICANT AND SUBSTANTIAL NEED FOR LANGUAGE-RELATED ASSISTANCE EXISTS IN A LOCAL GOVERNMENT ELECTION IF, BASED ON THE BEST AVAILABLE DATA, INCLUDING INFORMATION FROM THE U.S. CENSUS BUREAU'S AMERICAN COMMUNITY SURVEY OR DATA OF COMPARABLE QUALITY COLLECTED BY A PUBLIC OFFICE:

(1) MORE THAN 2%, BUT IN NO INSTANCE FEWER THAN 100 INDIVIDUALS, OF THE CITIZEN VOTING AGE POPULATION OF THE LOCAL GOVERNMENT:

(I) SPEAK A PARTICULAR LANGUAGE OTHER THAN ENGLISH;

(II) DO NOT SPEAK ENGLISH AS THEIR PRIMARY LANGUAGE;

AND

(III) ARE LIMITED ENGLISH PROFICIENT; OR

(2) MORE THAN 4,000 INDIVIDUALS OF THE CITIZEN VOTING AGE POPULATION OF THE LOCAL GOVERNMENT:

(I) SPEAK A PARTICULAR LANGUAGE OTHER THAN ENGLISH;

(II) DO NOT SPEAK ENGLISH AS THEIR PRIMARY LANGUAGE;

AND

(III) ARE LIMITED ENGLISH PROFICIENT.

15.5-302.

(A) ON OR BEFORE JANUARY 1, 2025, AND EVERY 2 YEARS THEREAFTER, THE STATE BOARD SHALL PUBLISH AND MAINTAIN ON ITS WEBSITE A LIST OF:

(1) EACH LOCAL GOVERNMENT ELECTION THAT REQUIRES LANGUAGE-RELATED ASSISTANCE IN A LANGUAGE OTHER THAN ENGLISH; AND

(2) THE TYPE OF LANGUAGE-RELATED ASSISTANCE THAT IS REQUIRED TO BE PROVIDED IN THE LOCAL GOVERNMENT ELECTION.

(B) THE STATE BOARD SHALL DISTRIBUTE THIS LIST TO EACH LOCAL GOVERNMENT IN TIME TO ALLOW LOCAL GOVERNMENTS TO PROVIDE LANGUAGE-RELATED ASSISTANCE UNDER § 15.5-303 OF THIS SUBTITLE.

1 **15.5–303.**

2 **(A) WHENEVER THE STATE BOARD DETERMINES THAT**
3 **LANGUAGE–RELATED ASSISTANCE SHALL BE PROVIDED IN A LOCAL GOVERNMENT**
4 **ELECTION UNDER THIS SECTION, THE ENTITY RESPONSIBLE FOR ADMINISTERING**
5 **THE ELECTION SHALL PROVIDE COMPETENT ASSISTANCE AND PHYSICAL AND**
6 **ONLINE VOTING MATERIALS IN EACH DESIGNATED LANGUAGE UNDER § 15.5–301 OF**
7 **THIS SUBTITLE.**

8 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
9 **FOR EACH DESIGNATED LANGUAGE UNDER § 15.5–301 OF THIS SUBTITLE, THE**
10 **LANGUAGE–RELATED ASSISTANCE AND MATERIALS SHALL INCLUDE:**

11 **(I) REGISTRATION AND VOTING NOTICES;**

12 **(II) ELECTION–RELATED FORMS AND INSTRUCTIONS;**

13 **(III) SIGNAGE INDICATING THE AVAILABILITY OF TELEPHONE**
14 **INTERPRETATION SERVICES, WHERE AVAILABLE; AND**

15 **(IV) BALLOTS, SAMPLE BALLOTS, AND OTHER MATERIALS OR**
16 **INFORMATION RELATING TO THE ELECTORAL PROCESS.**

17 **(2) (I) IN THE CASE OF A LANGUAGE THAT IS ORAL OR UNWRITTEN,**
18 **THE LOCAL GOVERNMENT MAY PROVIDE ONLY ORAL INSTRUCTIONS, ASSISTANCE,**
19 **OR OTHER INFORMATION RELATING TO THE ELECTORAL PROCESS IN THE**
20 **APPLICABLE LANGUAGE.**

21 **(II) IN A LOCAL GOVERNMENT WHERE ASSISTANCE MUST BE**
22 **PROVIDED IN MORE THAN TWO LANGUAGES, BALLOTS ARE NOT REQUIRED TO BE**
23 **TRANSLATED INTO A LANGUAGE OTHER THAN ENGLISH BEFORE JANUARY 1, 2026.**

24 **(C) (1) MATERIALS PROVIDED IN A DESIGNATED LANGUAGE SHALL BE OF**
25 **AN EQUAL QUALITY TO THE CORRESPONDING ENGLISH LANGUAGE MATERIALS.**

26 **(2) ALL TRANSLATIONS SHALL CONVEY THE INTENT AND ESSENTIAL**
27 **MEANING OF THE ORIGINAL TEXT OR COMMUNICATION AND MAY NOT SOLELY RELY**
28 **ON AUTOMATIC ELECTRONIC TRANSLATION SERVICES.**

29 **(3) IN ADDITION TO THE OTHER REQUIREMENTS OF THIS SECTION,**
30 **LANGUAGE–RELATED ASSISTANCE SHALL INCLUDE THE PRESENCE OF BILINGUAL**
31 **POLL WORKERS WHERE AVAILABLE.**

1 **15.5–304.**

2 **THE STATE BOARD MAY ADOPT REGULATIONS THAT ESTABLISH FURTHER**
3 **CRITERIA FOR DETERMINING WHETHER A SIGNIFICANT AND SUBSTANTIAL NEED**
4 **EXISTS FOR A LANGUAGE TO BE DESIGNATED UNDER § 15.5–301 OF THIS SUBTITLE.**

5 **15.5–305.**

6 **THE FOLLOWING PERSONS MAY FILE AN ACTION UNDER THIS SUBTITLE IN**
7 **THE COURT:**

8 **(1) AN AGGRIEVED PERSON;**

9 **(2) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS LIKELY**
10 **TO INCLUDE AGGRIEVED PERSONS;**

11 **(3) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED BY A**
12 **VIOLATION OF THIS SECTION;**

13 **(4) AN ORGANIZATION THAT WOULD EXPEND RESOURCES IN ORDER**
14 **TO FULFILL ITS MISSION AS A RESULT OF A VIOLATION OF THIS SECTION; OR**

15 **(5) THE STATE BOARD.**

16 **SUBTITLE 4. PRECLEARANCE.**

17 **15.5–401.**

18 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
19 **INDICATED.**

20 **(B) “COVERED JURISDICTION” MEANS ANY LOCAL GOVERNMENT:**

21 **(1) THAT, WITHIN THE IMMEDIATELY PRECEDING 25 YEARS, HAS**
22 **BECOME SUBJECT TO A COURT ORDER OR GOVERNMENT ENFORCEMENT ACTION**
23 **BASED ON A FINDING OF A VIOLATION OF THIS TITLE, THE FEDERAL VOTING RIGHTS**
24 **ACT, THE 15TH AMENDMENT TO THE U.S. CONSTITUTION, OR A VOTING–RELATED**
25 **VIOLATION OF THE 14TH AMENDMENT TO THE U.S. CONSTITUTION;**

26 **(2) THAT, WITHIN THE IMMEDIATELY PRECEDING 25 YEARS, HAS**
27 **BECOME SUBJECT TO A COURT ORDER OR GOVERNMENT ENFORCEMENT ACTION**
28 **BASED ON A FINDING OF A VIOLATION OF A FEDERAL OR STATE CIVIL RIGHTS LAW**

OR THE 14TH AMENDMENT TO THE U.S. CONSTITUTION CONCERNING A PATTERN, PRACTICE, OR POLICY THAT RESULTED IN DISCRIMINATION AGAINST MEMBERS OF A PROTECTED CLASS;

(3) THAT, WITHIN THE IMMEDIATELY PRECEDING 25 YEARS, WAS FOUND TO HAVE ENACTED OR IMPLEMENTED A COVERED POLICY WITHOUT OBTAINING PRECLEARANCE FOR THAT COVERED POLICY UNDER THIS SUBTITLE;

(4) WHERE THE TRAFFIC STOP RATE, OR THE COMBINED MISDEMEANOR AND FELONY ARREST RATE OF MEMBERS OF ANY PROTECTED CLASS CONSISTING OF AT LEAST 10,000 CITIZENS OF VOTING AGE OR WHOSE MEMBERS COMPRISE AT LEAST 10 PERCENTAGE POINTS OF THE CITIZEN VOTING AGE POPULATION OF THE LOCAL GOVERNMENT, EXCEEDS THE PROPORTION THAT THE PROTECTED CLASS CONSTITUTES OF THE CITIZEN VOTING AGE POPULATION OF THE LOCAL GOVERNMENT AS A WHOLE BY AT LEAST 10% AT ANY POINT WITHIN THE IMMEDIATELY PRECEDING 10 YEARS;

(5) THAT CONTAINS AT LEAST 6,000 CITIZENS OF ANY PROTECTED CLASS OF VOTING AGE, OR WHOSE MEMBERS COMPRISE AT LEAST 15% OF THE CITIZEN VOTING AGE POPULATION OF THE LOCAL GOVERNMENT, HAS HAD AT LEAST 10 PERCENTAGE POINTS FEWER REGISTERED VOTERS THAT ARE MEMBERS OF ANY PROTECTED CLASS THAN THE PERCENTAGE OF THE REGISTERED CITIZENS OF VOTING AGE; OR

(6) WHERE THE PERCENTAGE OF THE CITIZENS OF VOTING AGE WHO ARE MEMBERS OF ANY PROTECTED CLASS THAT PARTICIPATED IN ANY GENERAL ELECTION FOR LOCAL OFFICE IS AT LEAST 10 PERCENTAGE POINTS LOWER THAN THE PERCENTAGE OF ALL CITIZENS THAT PARTICIPATED IN THE GENERAL ELECTION.

(C) (1) "COVERED POLICY" MEANS A NEW OR MODIFIED STANDARD, PRACTICE, PROCEDURE, LAW, ORDINANCE, REGULATION, OR POLICY THAT A COVERED JURISDICTION IS REQUIRED TO SUBMIT FOR PRECLEARANCE.

(2) "COVERED POLICY" INCLUDES A NEW OR MODIFIED LOCAL GOVERNMENT QUALIFICATION FOR REGISTRATION AS A VOTER, PREREQUISITE TO VOTING, OR ANY OF THE FOLLOWING ORDINANCES, REGULATIONS, STANDARDS, PRACTICES, PROCEDURES, OR POLICIES CONCERNING:

(I) IF THE COVERED JURISDICTION IS A MUNICIPALITY:

1. THE METHOD OF ELECTION FOR THE GOVERNING BODY;

1 2. DISTRICTING OR REDISTRICTING;

2 3. THE NUMBER OF SEATS ON THE GOVERNING BODY;

3 4. ANNEXATION, INCORPORATION, DISSOLUTION,
4 CONSOLIDATION, OR DIVISION OF A MUNICIPALITY;

5 5. THE TIMING OF MUNICIPAL ELECTIONS;

6 6. VOTER REGISTRATION LISTS, INCLUDING THE
7 REMOVAL OF INDIVIDUALS FROM A VOTER REGISTRATION LIST AND CANCELLATION
8 OR DENIAL OF VOTER REGISTRATION;

9 7. VOTER CHALLENGERS, WATCHERS, OR OBSERVERS;

10 8. THE HOURS, LOCATIONS, OR NUMBER OF POLLING
11 PLACES, EARLY VOTING CENTERS, OR DROP BOX LOCATIONS;

12 9. THE REORGANIZATION OF PRECINCTS;

13 10. THE DISTRIBUTION OF VOTING EQUIPMENT AND
14 STAFF, INCLUDING ELECTION JUDGES, TO POLLING PLACES AND EARLY VOTING
15 CENTERS; OR

16 11. ANY ADDITIONAL SUBJECT MATTER AS MAY BE
17 IDENTIFIED BY THE ATTORNEY GENERAL BY REGULATION; AND

18 (II) IF THE COVERED JURISDICTION IS A COUNTY OR COUNTY
19 BOARD OF EDUCATION:

20 1. THE METHOD OF ELECTION FOR THE GOVERNING
21 BODY OF THE COVERED JURISDICTION;

22 2. DISTRICTING OR REDISTRICTING;

23 3. THE NUMBER OF SEATS ON THE GOVERNING BODY OF
24 THE COVERED JURISDICTION; AND

25 4. ANY ADDITIONAL SUBJECT MATTER AS MAY BE
26 IDENTIFIED BY THE ATTORNEY GENERAL IN REGULATION.

27 (D) “GOVERNMENT ENFORCEMENT ACTION” MEANS A DENIAL OF

ADMINISTRATIVE OR JUDICIAL PRECLEARANCE BY THE FEDERAL OR STATE GOVERNMENT, PENDING LITIGATION FILED BY A FEDERAL OR STATE ENTITY, A FINAL JUDGMENT OR ADJUDICATION, A CONSENT DECREE, OR A SIMILAR FORMAL ACTION.

(E) "PRECLEARANCE" MEANS THE REQUIREMENT THAT A LOCAL GOVERNMENT SUBMIT THE PROPOSED ENACTMENT OR IMPLEMENTATION OF A COVERED POLICY IN WRITING TO THE ATTORNEY GENERAL OR THE COURT FOR APPROVAL OR DENIAL.

15.5-402.

(A) THE ENACTMENT OR IMPLEMENTATION OF A COVERED POLICY BY A COVERED JURISDICTION IS SUBJECT TO PRECLEARANCE BY:

(1) THE ATTORNEY GENERAL, UNDER § 15.5-404 OF THIS SUBTITLE;
OR

(2) THE COURT, UNDER § 15.5-406 OF THIS SUBTITLE.

(B) A LOCAL GOVERNMENT THAT IS NOT A COVERED JURISDICTION MAY SUBMIT A PROPOSED POLICY TO PRECLEARANCE IN THE SAME MANNER AS A COVERED POLICY IS SUBMITTED BY A COVERED JURISDICTION.

15.5-403.

(A) ON OR BEFORE JANUARY 1, 2025, AND AT LEAST ANNUALLY THEREAFTER, THE ATTORNEY GENERAL SHALL DETERMINE WHICH LOCAL GOVERNMENTS ARE COVERED JURISDICTIONS.

(B) A STATE AGENCY OR OTHER APPROPRIATE ENTITY SHALL TRANSMIT ANY DATA OR INFORMATION TO THE ATTORNEY GENERAL ON THE REQUEST OF THE ATTORNEY GENERAL IN A USABLE FORMAT.

(C) THE ATTORNEY GENERAL SHALL:

(1) AS SOON AS PRACTICABLE, PUBLISH AND MAINTAIN A LIST OF LOCAL GOVERNMENTS THAT ARE COVERED JURISDICTIONS ON THE WEBSITE OF THE ATTORNEY GENERAL;

(2) PROVIDE NOTICE TO EACH LOCAL GOVERNMENT THAT IS DETERMINED TO BE A COVERED JURISDICTION ON THE DETERMINATION BEING MADE;

(3) PUBLISH AND MAINTAIN A LIST OF ALL PRECLEARANCE SUBMISSIONS; AND

(4) PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT ON ALL PRECLEARANCE SUBMISSIONS.

15.5–404.

(A) THE ATTORNEY GENERAL MAY DENY PRECLEARANCE ONLY IF IT DETERMINES THAT THE COVERED POLICY IS MORE LIKELY THAN NOT TO:

(1) DIMINISH THE OPPORTUNITY OR ABILITY OF PROTECTED CLASS MEMBERS WHO ARE THE BASIS FOR THE LOCAL GOVERNMENT'S PRECLEARANCE COVERAGE STATUS UNDER THIS SUBTITLE TO PARTICIPATE IN THE POLITICAL PROCESS OR ELECT CANDIDATES OF THEIR CHOICE; OR

(2) VIOLATE THIS TITLE.

(B) (1) IF THE ATTORNEY GENERAL GRANTS PRECLEARANCE, THE APPLICABLE COVERED JURISDICTION MAY ENACT OR IMPLEMENT THE COVERED POLICY.

(2) IF THE ATTORNEY GENERAL FAILS TO RESPOND WITHIN THE REQUIRED TIME PERIOD UNDER § 15.5–405 OF THIS SUBTITLE, PRECLEARANCE FOR THE COVERED POLICY SHALL BE DEEMED GRANTED AND THE APPLICABLE JURISDICTION MAY ENACT OR IMPLEMENT THE COVERED POLICY.

(C) THE ATTORNEY GENERAL SHALL PROVIDE TO THE COVERED JURISDICTION A WRITTEN EXPLANATION OF ITS DETERMINATIONS UNDER THIS SECTION.

(D) (1) A DENIAL OF PRECLEARANCE UNDER THIS SECTION MAY BE APPEALED ONLY BY THE COVERED JURISDICTION TO THE APPELLATE COURT OF MARYLAND.

(2) A PARTY OTHER THAN THE COVERED JURISDICTION MAY NOT FILE AN ACTION TO APPEAL A DENIAL OF PRECLEARANCE OR INTERVENE IN AN APPEAL ACTION BROUGHT BY THE COVERED JURISDICTION.

15.5–405.

(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND EXCEPT

1 AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, WITHIN 30 DAYS AFTER THE
2 RECEIPT OF A COVERED POLICY, THE ATTORNEY GENERAL SHALL:

3 (I) REVIEW THE COVERED POLICY, INCLUDING ANY PUBLIC
4 COMMENTS REGARDING THE PUBLIC POLICY; AND

5 (II) MAKE A DETERMINATION TO DENY OR GRANT
6 PRECLEARANCE FOR THE COVERED POLICY.

7 (2) THE ATTORNEY GENERAL MAY INVOKE AN EXTENSION OF UP TO
8 60 DAYS TO MAKE A DETERMINATION UNDER THIS SUBSECTION.

9 (B) (1) THIS SUBSECTION APPLIES ONLY TO A COVERED POLICY
10 REGARDING:

11 (I) CHANGES TO THE METHOD OF ELECTION FOR A GOVERNING
12 BODY;

13 (II) DISTRICTING OR REDISTRICTING;

14 (III) THE NUMBER OF SEATS ON A GOVERNING BODY; OR

15 (IV) ANNEXATION, INCORPORATION, DISSOLUTION,
16 CONSOLIDATION, OR DIVISION OF A LOCAL GOVERNMENT.

17 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION AND WITHIN
18 60 DAYS AFTER THE SUBMISSION OF THE COVERED POLICY, THE ATTORNEY
19 GENERAL SHALL:

20 (I) REVIEW A COVERED POLICY SUBJECT TO THIS SUBSECTION
21 AND ANY PUBLIC COMMENTS REGARDING THE COVERED POLICY; AND

22 (II) MAKE A DETERMINATION TO DENY OR GRANT
23 PRECLEARANCE FOR THE COVERED POLICY.

24 (3) THE ATTORNEY GENERAL MAY INVOKE UP TO TWO EXTENSIONS
25 OF UP TO 90 DAYS TO MAKE A DETERMINATION UNDER THIS SUBSECTION.

26 15.5-406.

27 (A) AS AN ALTERNATIVE TO PRECLEARANCE THROUGH THE ATTORNEY
28 GENERAL UNDER § 15.5-404 OF THIS SUBTITLE, A COVERED JURISDICTION MAY
29 SUBMIT A COVERED POLICY TO THE COURT FOR PRECLEARANCE.

(B) TO HAVE A COVERED POLICY BE CONSIDERED FOR PRECLEARANCE UNDER THIS SECTION, THE COVERED JURISDICTION SHALL:

(1) SUBMIT IN WRITING THE COVERED POLICY TO THE COURT; AND

(2) CONTEMPORANEOUSLY TRANSMIT TO THE ATTORNEY GENERAL A COPY OF THE COVERED POLICY SUBMITTED TO THE COURT UNDER ITEM (1) OF THIS SUBSECTION.

(C) FAILURE OF THE COVERED JURISDICTION TO PROVIDE A COPY OF THE POLICY TO THE ATTORNEY GENERAL AS REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION SHALL RESULT IN AN AUTOMATIC DENIAL OF THE REQUEST FOR PRECLEARANCE.

(D) THE COURT SHALL EXERCISE EXCLUSIVE JURISDICTION OVER A COVERED POLICY THAT IS SUBMITTED AND TRANSMITTED IN COMPLIANCE WITH SUBSECTION (B) OF THIS SECTION.

(E) THE COVERED JURISDICTION SHALL BEAR THE BURDEN OF PROOF IN THE COURT'S PRECLEARANCE DETERMINATION.

(F) THE COURT SHALL GRANT OR DENY PRECLEARANCE WITHIN 60 DAYS FOLLOWING THE RECEIPT OF THE SUBMISSION OF THE COVERED POLICY.

(G) THE COURT MAY DENY PRECLEARANCE ONLY IF IT DETERMINES THAT THE COVERED POLICY IS MORE LIKELY THAN NOT TO:

(1) IMPAIR THE OPPORTUNITY OR ABILITY OF PROTECTED CLASS MEMBERS WHO ARE THE BASIS FOR THE LOCAL GOVERNMENT'S PRECLEARANCE COVERAGE STATUS UNDER THIS SUBTITLE TO PARTICIPATE IN THE POLITICAL PROCESS AND ELECT CANDIDATES OF THEIR CHOICE; OR

(2) VIOLATE A PROVISION IN THIS TITLE.

(H) (1) IF THE COURT GRANTS PRECLEARANCE, THE APPLICABLE COVERED JURISDICTION MAY ENACT OR IMPLEMENT THE COVERED POLICY.

(2) IF THE COURT DENIES PRECLEARANCE, THE COVERED POLICY MAY NOT BE ENACTED OR IMPLEMENTED.

(3) IF THE COURT FAILS TO GRANT OR DENY PRECLEARANCE WITHIN 60 DAYS, THE COVERED JURISDICTION MAY NOT ENACT OR IMPLEMENT THE

1 COVERED POLICY.

2 (I) (1) A DENIAL OF PRECLEARANCE UNDER THIS SECTION MAY BE
3 APPEALED ONLY BY THE COVERED JURISDICTION IN ACCORDANCE WITH THE
4 ORDINARY RULES OF APPELLATE PROCEDURE.

5 (2) A PARTY OTHER THAN THE COVERED JURISDICTION MAY NOT
6 FILE AN ACTION TO APPEAL A DENIAL OF PRECLEARANCE OR INTERVENE IN AN
7 APPEAL ACTION BROUGHT BY THE COVERED JURISDICTION.

8 (3) DUE TO THE FREQUENCY AND URGENCY OF ELECTIONS, ACTIONS
9 BROUGHT UNDER THIS SECTION SHALL BE SUBJECT TO EXPEDITED PRETRIAL AND
10 TRIAL PROCEEDINGS AND RECEIVE AN AUTOMATIC CALENDAR PREFERENCE ON
11 APPEAL.

12 15.5-407.

13 IF A COVERED JURISDICTION ENACTS OR IMPLEMENTS A COVERED POLICY
14 WITHOUT FIRST OBTAINING PRECLEARANCE IN ACCORDANCE WITH THIS SUBTITLE,
15 THE FOLLOWING PERSONS MAY FILE AN ACTION IN THE COURT TO ENJOIN THE
16 ENACTMENT OR IMPLEMENTATION OF A COVERED POLICY AND SEEK SANCTIONS:

17 (1) AN AGGRIEVED PERSON;

18 (2) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS LIKELY
19 TO INCLUDE AGGRIEVED PERSONS;

20 (3) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED BY A
21 VIOLATION OF THIS SUBTITLE;

22 (4) AN ORGANIZATION THAT WOULD EXPEND RESOURCES IN ORDER
23 TO FULFILL ITS MISSION AS A RESULT OF A VIOLATION OF THIS SUBTITLE; OR

24 (5) THE ATTORNEY GENERAL.

25 15.5-408.

26 THE ATTORNEY GENERAL MAY ADOPT REGULATIONS TO CARRY OUT THIS
27 SUBTITLE.

28 15.5-409.

29 A DETERMINATION BY THE ATTORNEY GENERAL OR THE COURT TO GRANT

OR DENY PRECLEARANCE TO A COVERED POLICY MAY NOT BE ADMISSIBLE OR OTHERWISE CONSIDERED BY A COURT IN ANY SUBSEQUENT ACTION CHALLENGING THE COVERED POLICY.

SUBTITLE 5. PROHIBITION OF VOTER INTIMIDATION AND OBSTRUCTION.

15.5–501.

(A) A PERSON, WHETHER ACTING UNDER COLOR OF LAW OR OTHERWISE, MAY NOT ENGAGE IN ACTS OF INTIMIDATION, DECEPTION, OR OBSTRUCTION THAT INTERFERE WITH AN INDIVIDUAL’S RIGHT TO VOTE.

(B) THE FOLLOWING SHALL CONSTITUTE A VIOLATION OF SUBSECTION (A) OF THIS SECTION:

(1) THE USE OF FORCE OR THREATS TO USE FORCE, OR THE USE OF ANY OTHER CONDUCT TO PRACTICE INTIMIDATION THAT CAUSES OR WILL REASONABLY HAVE THE EFFECT OF CAUSING INTERFERENCE WITH AN INDIVIDUAL’S RIGHT TO VOTE;

(2) THE KNOWING USE OF A DECEPTIVE OR FRAUDULENT DEVICE, CONTRIVANCE, OR COMMUNICATION THAT CAUSES OR WILL REASONABLY HAVE THE EFFECT OF CAUSING INTERFERENCE WITH ANY INDIVIDUAL’S RIGHT TO VOTE; OR

(3) THE OBSTRUCTION OF, IMPEDIMENT TO, OR OTHER INTERFERENCE WITH ACCESS TO A POLLING PLACE, A BALLOT DROP BOX, OR AN OFFICE OR A PLACE OF BUSINESS OF AN ELECTION OFFICIAL OR A VOTER IN A MANNER THAT CAUSES OR WILL REASONABLY HAVE THE EFFECT OF CAUSING INTERFERENCE WITH ANY INDIVIDUAL’S RIGHT TO VOTE OR ANY DELAY IN VOTING OR THE VOTING PROCESS.

(C) THE FOLLOWING PERSONS MAY FILE AN ACTION ALLEGING A VIOLATION OF THIS SECTION IN THE COURT:

(1) AN AGGRIEVED PERSON;

(2) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS LIKELY TO INCLUDE AGGRIEVED PERSONS;

(3) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED BY A VIOLATION OF THIS SECTION;

(4) AN ORGANIZATION THAT WOULD EXPEND RESOURCES IN ORDER

1 TO FULFILL ITS MISSION AS A RESULT OF A VIOLATION OF THIS SECTION; OR

2 (5) THE ATTORNEY GENERAL.

3 (D) (1) (I) IF THE COURT FINDS A VIOLATION OF THIS SECTION, THE
4 COURT SHALL ORDER APPROPRIATE REMEDIES THAT ARE TAILORED TO ADDRESS
5 THE VIOLATION.

6 (II) THE REMEDIES ORDERED UNDER SUBPARAGRAPH (I) OF
7 THIS PARAGRAPH MAY INCLUDE PROVIDING FOR ADDITIONAL TIME TO VOTE
8 DURING AN ELECTION.

9 (2) A PERSON WHO VIOLATES THIS SECTION OR WHO AIDS IN THE
10 VIOLATION OF THIS SECTION SHALL BE LIABLE FOR ANY DAMAGES AWARDED BY THE
11 COURT, INCLUDING NOMINAL DAMAGES FOR ANY VIOLATION AND COMPENSATORY
12 OR PUNITIVE DAMAGES FOR ANY WILLFUL VIOLATION.

13 SUBTITLE 6. JURISDICTION AND PROCEEDINGS.

14 15.5-601.

15 IN ANY ACTION OR INVESTIGATION TO ENFORCE THIS TITLE, THE ATTORNEY
16 GENERAL MAY:

17 (1) ADMINISTER OATHS;

18 (2) EXAMINE WITNESSES UNDER OATH;

19 (3) RECEIVE ORAL AND DOCUMENTARY EVIDENCE;

20 (4) DETERMINE MATERIAL FACTS; AND

21 (5) ISSUE SUBPOENAS IN ACCORDANCE WITH THE ORDINARY RULES
22 OF CIVIL PROCEDURE.

23 15.5-602.

24 (A) ACTIONS BROUGHT UNDER THIS TITLE SHALL BE SUBJECT TO
25 EXPEDITED PRETRIAL AND TRIAL PROCEEDINGS AND RECEIVE AN AUTOMATIC
26 CALENDAR PREFERENCE.

27 (B) IF A PARTY SEEKING PRELIMINARY RELIEF ALLEGES A VIOLATION OF
28 THIS TITLE THAT RELATES TO AN UPCOMING ELECTION, THE COURT SHALL GRANT

1 RELIEF IF IT DETERMINES THAT:

2 (1) THE PARTY IS MORE LIKELY THAN NOT TO SUCCEED ON THE
3 MERITS; AND

4 (2) IT IS POSSIBLE TO IMPLEMENT AN APPROPRIATE REMEDY THAT
5 WOULD RESOLVE THE ALLEGED VIOLATION IN THE UPCOMING ELECTION.

6 SUBTITLE 7. COSTS AND FEES.

7 15.5–701.

8 (A) EXCEPT AS PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION, IN AN
9 ACTION TO ENFORCE THIS TITLE, THE COURT SHALL AWARD REASONABLE
10 ATTORNEY’S FEES AND LITIGATION COSTS, INCLUDING EXPERT WITNESS FEES AND
11 EXPENSES, TO THE PARTY THAT PREVAILED IN THE ACTION.

12 (B) (1) IF THE STATE OR LOCAL GOVERNMENT IS AN OPPOSING PARTY, A
13 PARTY WILL BE DEEMED TO HAVE PREVAILED IN AN ACTION WHEN, AS A RESULT OF
14 THE ACTION, THE STATE OR LOCAL GOVERNMENT YIELDS SOME OR ALL OF THE
15 RELIEF SOUGHT IN THE ACTION.

16 (2) IF THE STATE OR LOCAL GOVERNMENT PREVAILS IN AN ACTION
17 UNDER THIS TITLE, THE COURT MAY NOT AWARD THE STATE OR LOCAL
18 GOVERNMENT ANY COSTS UNLESS THE COURT FINDS THE ACTION TO BE
19 FRIVOLOUS.

20 15.5–702.

21 (A) THE STATE BOARD SHALL:

22 (1) CONDUCT AN ASSESSMENT OF THE NEEDS OF A LOCAL
23 GOVERNMENT REGARDING COMPLIANCE WITH SUBTITLES 3 AND 4 OF THIS TITLE;
24 AND

25 (2) AWARD GRANTS TO LOCAL GOVERNMENTS, BASED ON THE NEEDS
26 ASSESSMENT, TO SUPPORT:

27 (I) LANGUAGE ASSISTANCE AND MULTILINGUAL MATERIALS
28 PROVIDED TO VOTERS OF LIMITED ENGLISH PROFICIENCY UNDER SUBTITLE 3 OF
29 THIS TITLE; AND

1 (II) ASSISTANCE TO LOCAL GOVERNMENTS IN SUBMITTING
2 COVERED POLICIES FOR PRECLEARANCE UNDER SUBTITLE 4 OF THIS TITLE.

3 (B) THE STATE BOARD MAY AWARD GRANTS TO:

4 (1) LOCAL GOVERNMENTS TO FURTHER THE PURPOSES OF THIS
5 TITLE, INCLUDING BY SUPPORTING:

6 (I) DEVELOPMENT AND DISTRIBUTION OF EDUCATIONAL
7 MATERIALS REGARDING VOTING RIGHTS AND THE VOTING PROCESS;

8 (II) PUBLIC EDUCATION CAMPAIGNS REGARDING VOTING
9 RIGHTS AND THE ELECTION PROCESS;

10 (III) PROVIDING TRAINING AND RESOURCES TO LOCAL
11 ELECTION OFFICIALS, ELECTION JUDGES, AND VOLUNTEERS;

12 (IV) VOTER OUTREACH EFFORTS TARGETED AT HISTORICALLY
13 DISENFRANCHISED COMMUNITIES; AND

14 (V) ESTABLISHING MECHANISMS FOR VOTERS TO REPORT
15 INCIDENTS OF VOTER INTIMIDATION, SUPPRESSION, OR DISCRIMINATION TO
16 VOTING OFFICIALS; AND

17 (2) COMMUNITY-BASED, CIVIC, AND CIVIL RIGHTS ORGANIZATIONS
18 TO SUPPORT:

19 (I) VOTER EDUCATION AND MOBILIZATION;

20 (II) VOTER REGISTRATION DRIVES;

21 (III) CANDIDATE FORUMS;

22 (IV) GET-OUT-THE-VOTE CAMPAIGNS; AND

23 (V) RESEARCH PROJECTS DESIGNED TO IDENTIFY BEST
24 PRACTICES FOR IMPROVING VOTER PARTICIPATION, CIVIC ENGAGEMENT, AND
25 BALLOT ACCESS.

26 (C) THE STATE BOARD SHALL ESTABLISH AND PUBLISH PROCEDURES FOR:

27 (1) CONDUCTING THE NEEDS ASSESSMENT REQUIRED UNDER
28 SUBSECTION (A)(1) OF THIS SECTION; AND

1 **(2) AWARDING GRANTS UNDER THIS SECTION.**

2 **(D) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
3 **SECTION, INCLUDING PROCEDURES TO MONITOR THE USE OF GRANT FUNDS**
4 **AWARDED UNDER THIS SECTION.**

5 **15.5–703.**

6 **(A) IN THIS SECTION, “FUND” MEANS THE VOTING RIGHTS ACT**
7 **IMPLEMENTATION GRANT FUND.**

8 **(B) THERE IS A VOTING RIGHTS ACT IMPLEMENTATION GRANT FUND.**

9 **(C) THE PURPOSE OF THE FUND IS TO MAKE GRANTS TO SUPPORT**
10 **ACTIVITIES DESIGNED TO FURTHER VOTING RIGHTS IN THE STATE.**

11 **(D) THE STATE BOARD SHALL ADMINISTER THE FUND.**

12 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
13 **SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

14 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
15 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

16 **(F) THE FUND CONSISTS OF:**

17 **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

18 **(2) INTEREST EARNINGS; AND**

19 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
20 **THE BENEFIT OF THE FUND.**

21 **(G) THE FUND MAY BE USED ONLY TO:**

22 **(1) AWARD GRANTS UNDER § 15.5–702 OF THIS SUBTITLE; AND**

23 **(2) COVER ADMINISTRATIVE EXPENSES RELATED TO THE FUND.**

24 **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
25 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

1 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
2 **THE FUND.**

3 **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
4 **WITH THE STATE BUDGET.**

5 **Article – State Finance and Procurement**

6 6–226.

7 (a) (2) (i) Notwithstanding any other provision of law, and unless
8 inconsistent with a federal law, grant agreement, or other federal requirement or with the
9 terms of a gift or settlement agreement, net interest on all State money allocated by the
10 State Treasurer under this section to special funds or accounts, and otherwise entitled to
11 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
12 Fund of the State.

13 (ii) The provisions of subparagraph (i) of this paragraph do not apply
14 to the following funds:

15 189. the Teacher Retention and Development Fund; [and]

16 190. the Protecting Against Hate Crimes Grant Fund; AND

17 **191. THE VOTING RIGHTS ACT IMPLEMENTATION GRANT**
18 **FUND.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 January 1, 2025.