

A019 - 0809

10 **AN ACT CONCERNING**

20 Election Law

30 FOR the purpose of ensuring the fairness of Maryland elections

40 BY repealing and reenacting, with amendments,

50 Article – Election Law

60 Section 10 – 101

70 Annotated Code of Maryland (2008)

80 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT

90 LEGISLATURE, That the laws of Maryland read as follows:

100 §10–101.

(a) (1) Each local board shall designate a polling place that meets the requirements of this subsection for each precinct in the county as established by the local board in accordance with Title 2 of this article.

(2) Each polling place shall:

(i) provide an environment that is suitable to the proper conduct of an election;

(ii) be located as conveniently as practicable for the majority of registered voters assigned to that polling place;

(iii) except as authorized in paragraph (4) of this subsection, be in a public building;

(iv) be in the precinct that it serves unless no suitable location for a polling place can be found within that precinct, in which case the board may establish the polling place in an adjacent precinct; ~~and~~

(v) whenever practicable, be selected and arranged to avoid architectural and other barriers that impede access or voting by elderly and physically disabled voters; AND

(VI) ALLOW CAMPAIGN SIGNS TO BE PLACED AT THE POLLING PLACE OUTSIDE OF THE 100 FOOT NO-ELECTIONEERING ZONE.

(3) (i) The public official responsible for the use of any public building requested by a local board for a polling place shall make available to the local board, without charge, the space that is needed in the building for the proper conduct of an election.

(ii) Light, heat, and custodial and janitorial services for the space shall be provided to the local board without charge.

(4) (i) If suitable space in a public building is not available, a local board may pay a reasonable fee for the use of space in a privately owned building.

(ii) Except as provided in subparagraph (iii) of this paragraph, an election may not be held in any building or part of any building used or occupied by an establishment that holds an alcoholic beverages license.

(iii) An election may be held in a building that is owned and occupied by an establishment that holds an alcoholic beverages license if:

1. the local board determines that there is no suitable alternative place to hold an election;

2. the licensee agrees not to sell or dispense alcoholic beverages during the period beginning 2 hours before the polls open and ending 2 hours after the polls close; and

3. where applicable, all ballots are removed from the polling place by the local board immediately following the election.

(5) If a polling place is located in a building owned or leased by a volunteer fire company or rescue squad, the volunteer fire company or rescue squad may require the local board to pay for the use of the space that is needed in the building for the proper conduct of any election.

(b) (1) (i) In Baltimore City, public buildings shall be used for polling places to the greatest extent feasible.

(ii) For rental of privately owned polling places in Baltimore City, the local board shall pay an amount as determined in the ordinance of estimates, provided that the amount is uniform on a citywide basis.

(2) In Charles County, the local board may use private firehouses, private halls, and other buildings for polling places.

(3) In Montgomery County, the County Board of Education shall make available the space and custodial service as needed for the proper conduct of elections upon application by the local board.

140 **MANDATES:** Martin O'Malley, Governor of Maryland
150 Anthony Brown, Lieutenant Governor of Maryland
160 Douglas Gansler, Attorney General of Maryland
170 Brian Frosh, Chairman, Senate Judicial Proceedings
180 Committee
190 Joseph Vallario, Chairman, House Judiciary Committee
200 Sheila Hixson, Ways and Means Committee Chairman

SPONSOR:

Brian Kemmet,
Governor's Political Liaison, Salisbury University

CO-SPONSORS:

Jessica Lea Curtis
Lt. Governor, McDaniel College

Lauren Payne
Delegation Chairperson, St. Mary's College of Maryland

Shawn Jester
Delegation Chairperson, Salisbury University