

HOUSE BILL 317

G1

5lr0767

By: **Delegates Williams and Wilkins**

Introduced and read first time: January 10, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Curbside Voting – Pilot Program**

3 FOR the purpose of establishing the Curbside Voting Pilot Program to test the viability of
4 curbside voting in the State; establishing requirements governing curbside voting,
5 including requirements related to the designation of curbside voting locations and
6 how to vote at a curbside voting location; and generally relating to the Curbside
7 Voting Pilot Program.

8 BY adding to

9 Article – Election Law

10 Section 1–101(p–1) and 10–316

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Election Law

15 Section 9–102(d)(1)

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2024 Supplement)

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

20 **Article – Election Law**

21 1–101.

22 **(P–1) “CURBSIDE VOTING” MEANS THE PROCESS BY WHICH A VOTER**
23 **COMPLETES AND CASTS A BALLOT AT AN OUTSIDE LOCATION DESIGNATED UNDER §**
24 **10–316 OF THIS ARTICLE AND UNDER OBSERVATION OF ELECTION JUDGES.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 9–102.

2 (d) The State Board may not certify a voting system unless the State Board
3 determines that:

4 (1) the voting system will:

5 (i) protect the secrecy of the ballot;

6 (ii) protect the security of the voting process;

7 (iii) count and record all votes accurately;

8 (iv) accommodate any ballot used under this article;

9 (v) protect all other rights of voters and candidates;

10 (vi) be capable of creating a paper record of all votes cast in order
11 that an audit trail is available in the event of a recount, including a manual recount; [and]

12 (vii) provide a voter–verifiable paper record that:

13 1. is an individual document that is physically separated
14 from any other similar document and not part of a continuous roll;

15 2. is sufficiently durable to withstand repeated handling for
16 the purposes of mandatory random audits and recounts; and

17 3. uses ink that does not fade, smear, or otherwise degrade
18 and obscure or obliterate the paper record over time; AND

19 **(VIII) FOR A VOTING SYSTEM USED IN THE CURBSIDE VOTING**
20 **PILOT PROGRAM UNDER § 10–316 OF THIS ARTICLE, ACCOMMODATE CURBSIDE**
21 **VOTING;**

22 **10–316.**

23 **(A) IN THIS SECTION, “PILOT PROGRAM” MEANS THE CURBSIDE VOTING**
24 **PILOT PROGRAM ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.**

25 **(B) THERE IS A CURBSIDE VOTING PILOT PROGRAM TO TEST THE**
26 **VIABILITY OF CURBSIDE VOTING IN THE STATE.**

27 **(C) THE STATE BOARD, IN CONJUNCTION WITH THE LOCAL BOARDS, SHALL**
28 **IMPLEMENT AND ADMINISTER THE PILOT PROGRAM.**

1 **(D) (1) THE STATE BOARD SHALL DESIGNATE THE FOLLOWING**
2 **COUNTIES IN WHICH TO IMPLEMENT THE PILOT PROGRAM:**

3 **(I) ONE COUNTY WITH A COMPARATIVELY SMALL NUMBER OF**
4 **REGISTERED VOTERS;**

5 **(II) ONE COUNTY WITH A COMPARATIVELY MEDIUM NUMBER OF**
6 **REGISTERED VOTERS; AND**

7 **(III) ONE COUNTY WITH A COMPARATIVELY LARGE NUMBER OF**
8 **REGISTERED VOTERS.**

9 **(2) AT LEAST 6 MONTHS BEFORE EACH STATEWIDE PRIMARY**
10 **ELECTION, THE LOCAL BOARD OF EACH COUNTY DESIGNATED UNDER PARAGRAPH**
11 **(1) OF THIS SUBSECTION SHALL DESIGNATE A LOCATION FOR CURBSIDE VOTING**
12 **OUTSIDE:**

13 **(I) DURING EARLY VOTING, ONE EARLY VOTING CENTER OR**
14 **OTHER APPROPRIATE BUILDING AS DETERMINED BY THE LOCAL BOARD; AND**

15 **(II) ON ELECTION DAY:**

16 **1. THE OFFICE OF THE LOCAL BOARD;**

17 **2. IF USING THE OFFICE OF THE LOCAL BOARD IS NOT**
18 **PRACTICABLE, ONE POLLING PLACE; OR**

19 **3. IF USING THE OFFICE OF THE LOCAL BOARD OR A**
20 **POLLING PLACE IS NOT PRACTICABLE, AN APPROPRIATE BUILDING AS DETERMINED**
21 **BY THE LOCAL BOARD.**

22 **(3) A LOCAL BOARD SHALL TAKE INTO ACCOUNT THE FOLLOWING**
23 **FACTORS WHEN DETERMINING A LOCATION FOR CURBSIDE VOTING:**

24 **(I) ACCESSIBILITY OF THE LOCATION TO HISTORICALLY**
25 **DISENFRANCHISED COMMUNITIES;**

26 **(II) PROXIMITY OF THE LOCATION TO DENSE CONCENTRATIONS**
27 **OF VOTERS;**

28 **(III) ACCESSIBILITY OF THE LOCATION BY PUBLIC**
29 **TRANSPORTATION; AND**

1 (IV) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH
2 THE USE OF COMMUNITY CENTERS AND PUBLIC GATHERING PLACES AS LOCATIONS
3 FOR CURBSIDE VOTING.

4 (4) CURBSIDE VOTING SHALL BE MADE AVAILABLE AT EACH
5 LOCATION ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION TO ANY
6 REGISTERED VOTER ON REQUEST ON THE DAYS AND DURING THE HOURS THAT
7 EARLY VOTING CENTERS AND POLLING PLACES ARE OPEN.

8 (5) THE CURBSIDE VOTING LOCATION SHALL BE EQUIPPED TO:

9 (I) ALLOW THE VOTER TO COMPLETE THE BALLOT WITHOUT
10 ASSISTANCE, UNLESS ASSISTANCE IS REQUESTED BY THE VOTER; AND

11 (II) PRESERVE THE SECRECY OF THE VOTER'S BALLOT WHILE
12 VOTING.

13 (6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH AND
14 IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE BOARD, THE LOCAL
15 BOARD SHALL ESTABLISH:

16 1. A LINE AROUND EACH CURBSIDE VOTING LOCATION
17 BEYOND WHICH CANVASSING, ELECTIONEERING, OR POSTING OF CAMPAIGN
18 MATERIAL IS PROHIBITED; AND

19 2. A BOUNDARY AROUND A CAR THAT IS WAITING IN LINE
20 FOR CURBSIDE VOTING WITHIN WHICH CANVASSING AND ELECTIONEERING IS
21 PROHIBITED.

22 (II) IF A CURBSIDE VOTING LOCATION IS ESTABLISHED
23 OUTSIDE AN EARLY VOTING CENTER OR POLLING PLACE, THE LOCAL BOARD SHALL,
24 TO THE MAXIMUM EXTENT PRACTICABLE:

25 1. ESTABLISH THE CURBSIDE VOTING LOCATION WITHIN
26 THE LINE ESTABLISHED UNDER § 16-206(B) OF THIS ARTICLE; AND

27 2. AVOID EXPANDING THE AREA WITHIN THE LINE
28 ESTABLISHED UNDER § 16-206(B) OF THIS ARTICLE TO ACCOMMODATE THE
29 CURBSIDE VOTING LOCATION.

30 (E) AT EACH CURBSIDE VOTING LOCATION, THE LOCAL BOARD SHALL:

31 (1) POST SIGNS INFORMING VOTERS OF:

1 **(I) THE LOCATION OF CURBSIDE VOTING; AND**

2 **(II) HOW TO NOTIFY AN ELECTION JUDGE THAT THE VOTER IS**
3 **WAITING AT THE CURBSIDE VOTING LOCATION; AND**

4 **(2) ENSURE THAT VOTERS RECEIVE PROMPT SERVICE FROM THE**
5 **ELECTION JUDGES.**

6 **(F) (1) A VOTER SEEKING TO USE CURBSIDE VOTING SHALL:**

7 **(I) REQUEST CURBSIDE VOTING FROM AN ELECTION JUDGE AT**
8 **THE CURBSIDE VOTING LOCATION; AND**

9 **(II) PROVIDE AN ELECTION JUDGE WITH THE INFORMATION**
10 **REQUIRED TO CHECK IN THE VOTER THROUGH THE POLLBOOK AT THE CURBSIDE**
11 **VOTING LOCATION.**

12 **(2) AN ELECTION JUDGE SHALL GIVE A VOTER USING CURBSIDE**
13 **VOTING THE CHOICE TO VOTE BY MARKING A PAPER BALLOT OR BY USING A BALLOT**
14 **MARKING DEVICE AT THE CURBSIDE VOTING LOCATION.**

15 **(3) IF THE VOTER CHOOSES TO VOTE USING A PAPER BALLOT, AFTER**
16 **MARKING THE BALLOT, THE VOTER SHALL DEPOSIT THE BALLOT IN THE CONTAINER**
17 **PROVIDED BY THE ELECTION JUDGE TO BE COUNTED.**

18 **(4) IF THE VOTER CHOOSES TO VOTE USING A BALLOT MARKING**
19 **DEVICE, AN ELECTION JUDGE SHALL BRING A BALLOT MARKING DEVICE OUTSIDE**
20 **TO THE VOTER.**

21 **(G) ON OR BEFORE SEPTEMBER 1, 2029, THE STATE BOARD SHALL REPORT**
22 **TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE**
23 **GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THE CURBSIDE VOTING**
24 **PILOT PROGRAM.**

25 **(H) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
26 **SECTION.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2025. It shall remain effective for a period of 4 years and, at the end of September
29 30, 2029, this Act, with no further action required by the General Assembly, shall be
30 abrogated and of no further force and effect.