

Chapter 43

(House Bill 745)

AN ACT concerning

Election Law – Early Voting Centers – ~~Number Required~~

FOR the purpose of altering the number of early voting centers certain counties are required to establish; clarifying the process by which one additional early voting center may be established in a county in excess of the number required to be established by law; clarifying the process by which early voting centers are designated in a county; requiring a local board of elections to take into account certain factors when determining the location of an early voting center; and generally relating to early voting centers.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 10–301.1

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

10–301.1.

(a) Except as provided under Title 9, Subtitle 3 of this article, during any regularly scheduled primary or general election a voter may vote:

(1) in the voter’s assigned precinct on election day; or

(2) at an early voting center in the voter’s county of residence on any early voting day in accordance with this section.

(b) (1) Each county shall have at least one early voting center established in the county as prescribed in this subsection.

[(2) A county with fewer than 125,000 registered voters shall have one early voting center established in the county.

(3) A county with more than 125,000 registered voters but fewer than 200,000 registered voters shall have three early voting centers established in the county.

(4) A county with more than 200,000 registered voters but fewer than

300,000 registered voters shall have four early voting centers established in the county.

(5) A county with more than 300,000 registered voters but fewer than 450,000 registered voters shall have seven early voting centers established in the county.

(6) A county with more than 450,000 registered voters shall have eleven early voting centers.]

(2) A COUNTY WITH FEWER THAN 50,000 REGISTERED VOTERS SHALL HAVE ONE EARLY VOTING CENTER ESTABLISHED IN THE COUNTY.

(3) A COUNTY WITH AT LEAST 50,000 REGISTERED VOTERS BUT FEWER THAN 100,000 REGISTERED VOTERS SHALL HAVE TWO EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.

(4) A COUNTY WITH AT LEAST 100,000 REGISTERED VOTERS BUT FEWER THAN 200,000 REGISTERED VOTERS SHALL HAVE THREE EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.

(5) A COUNTY WITH AT LEAST 200,000 REGISTERED VOTERS BUT FEWER THAN 300,000 REGISTERED VOTERS SHALL HAVE FIVE EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.

(6) A COUNTY WITH AT LEAST 300,000 REGISTERED VOTERS BUT FEWER THAN 400,000 REGISTERED VOTERS SHALL HAVE SEVEN EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.

(7) A COUNTY WITH AT LEAST 400,000 REGISTERED VOTERS BUT FEWER THAN 500,000 REGISTERED VOTERS SHALL HAVE NINE EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.

(8) A COUNTY WITH AT LEAST 500,000 REGISTERED VOTERS BUT FEWER THAN 600,000 REGISTERED VOTERS SHALL HAVE 11 EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.

(9) A COUNTY WITH AT LEAST 600,000 REGISTERED VOTERS SHALL HAVE 13 EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.

[(7)] (10) In addition to the early voting centers required in this subsection, each county may establish one additional early voting center if ~~the State Board, in collaboration with:~~

(1) FIRST, the local board, and the governing body of the county agree to establish an additional early voting center; **AND**

(II) THEN, THE STATE BOARD APPROVES THE ESTABLISHMENT OF THE ADDITIONAL EARLY VOTING CENTER.

(c) **(1)** No later than 6 months before a primary election, ~~the State Board, in collaboration with~~ the local board in each county, shall, **SUBJECT TO THE APPROVAL OF THE STATE BOARD,** designate each early voting center in that county.

(2) A LOCAL BOARD SHALL TAKE INTO ACCOUNT THE FOLLOWING FACTORS WHEN DETERMINING THE LOCATION OF AN EARLY VOTING CENTER:

(I) ACCESSIBILITY OF THE EARLY VOTING CENTER TO HISTORICALLY DISENFRANCHISED COMMUNITIES, INCLUDING CULTURAL GROUPS, ETHNIC GROUPS, AND MINORITY GROUPS;

(II) PROXIMITY OF THE EARLY VOTING CENTER TO DENSE CONCENTRATIONS OF VOTERS;

(III) ACCESSIBILITY OF THE EARLY VOTING CENTER BY PUBLIC TRANSPORTATION;

(IV) ENSURING EQUITABLE DISTRIBUTION OF EARLY VOTING CENTERS THROUGHOUT THE COUNTY; AND

(V) MAXIMIZING VOTER PARTICIPATION, INCLUDING THROUGH THE USE OF COMMUNITY CENTERS AND PUBLIC GATHERING PLACES AS LOCATIONS FOR EARLY VOTING CENTERS.

(d) Each early voting center shall be open for voting as follows:

(1) beginning the second Thursday before a primary or general election through the Thursday before the election; and

(2) during the following hours:

(i) in a presidential general election, during the hours between 8 a.m. and 8 p.m. each early voting day; and

(ii) in all other elections, during the hours between 10 a.m. and 8 p.m. each early voting day.

(e) Each early voting center shall satisfy the requirements of § 10–101 of this title.

(f) Beginning 30 days prior to each early voting period the State Board and each

local board shall undertake steps to inform the public about early voting and the location of early voting centers in each county, including:

- (1) a series of public service media announcements;
- (2) mailings to all registered voters in each county; and
- (3) other measures as appropriate.

(g) Except as expressly provided in this section, any provision of this article that applies to voting on election day also applies to early voting.

(h) The State Board shall adopt regulations and guidelines in accordance with the requirements of this section for the conduct of early voting.

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

Enacted under Article II, § 17(b) of the Maryland Constitution, April 9, 2021.