



LEGISLATIVE SUMMARY

O-18-24

Elections - Mail-in Ballots

This summary was prepared by the City of Annapolis Office of Law for use by members of the Annapolis City Council during consideration of the legislation.

BILL SUMMARY

O-18-24 replaces Chapter 4.28 of the City Code -- Absentee Voting -- because the Maryland legislature in 2023 voted to significantly change “absentee voting” and rename it “mail-in voting.”

Background

The Governor approved Senate Bill 379 on April 24, 2023. It changes election law relating to (1) the issuance of absentee ballots, (2) the start of absentee ballot processing during an election, (3) the definition of “canvass”; (4) a voter’s ability to correct a failure to sign the oath on an absentee ballot envelope; (5) instances where a local board of elections receives more than one ballot from the same individual; and (6) reporting of election results by precinct.

The changes require a rewrite of Annapolis City Code Chapter 4.28.

O-18-24 reflects recommendations as written and updated by the Annapolis Board of Elections.

These changes apply only to city-wide elections run by the City Board of Supervisors of Elections and *do not impact the 2024 national and state elections*. The next city-wide election will be in 2025.



LEGISLATIVE SUMMARY

O-18-24

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(Red indicates notable changes to a section)

Chapter 4.28 - **Mail-in** Voting

Changes the word "absentee" to "Mail-in" per state law requirements. The term is replaced throughout this chapter.

Section 4.28.010 - **Mail-in Voting Allowed.**

Provides notice that mail-in voting is allowed in municipal elections.

Section 4.28.020 - **Board Duties**

Most board duties remain the same, but the section is reformatted to the current legislative style.

C. Instructions.

Updates how the Board will handle instructions for filling out and returning the mail-in ballot.

Section 4.28.030 - **Application Process.**

Lays out the process for voting by mail and simplifies the instructions to make them easier for the voter to understand.

Section 4.28.030 - **Ballots.**

Provides warning that the Board will reject all ballots sent by an individual if they send more than one mail-in ballot.

Section 4.28.040 - **Assistance Allowed.**

Allows voters to have help filling out a mail-in ballot and sets criteria for the helper, called a "duly authorized agent."

Sets criteria for when that help can be used and prohibits help from a candidate, the voter's employer, or the voter's labor union.



LEGISLATIVE SUMMARY

O-18-24

Elections - Mail-in Ballots

Section 4.28.050 - Returning Applications and Ballot, Oath Required

Instructions for returning the ballot must be included in the ballot application and the actual mail-in ballot.

The Board must include pre-paid postage for the mail-in and ballot applications.

Voters must sign an oath on the envelope for the Board to accept the mail-in ballot.

Section 4.28.060 - Review of Application and Ballot Envelope for Completeness.

Sets the criteria for the Board to reject mail-in ballots: the voters must sign the required oaths.

Depending on when the ballot is received, the board will try to give voters notice that their mail-in ballot was rejected. Voters will then have a chance to correct any errors.

Section 4.28.070 – Penalties.

Penalties are unchanged. The section is reformatted.