

STATE BOARD OF ELECTIONS

P.O. BOX 6486, ANNAPOLIS, MD 21401-0486 PHONE (410) 269-2840

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Administrator

Nikki Charlson
Deputy Administrator

State Board of Elections' Meeting
151 West Street, Suite 200, Annapolis, MD 21401
September 4, 2020 – 1:00 pm
By Video Conference Call
Agenda-Revised 9/3/2020

1. Declaration of Quorum Present
2. Additions to the Agenda
3. Approval of Proposed Changes to COMAR 33.11.02.05, 04.01, 04.05 and .05.04 – Absentee Ballots- Canvass and 33.16.06.04 – Provisional Ballots - Canvass
4. November 3 Election Discussion
 - a. Member's Remarks
 - b. Approval of Early Voting Center Changes
 - c. Approval of Election Day Voting Centers
 - d. Requests to Deploy Additional Ballot Marking Devices
5. Old Business
6. New Business
7. Approved Speakers
8. Disclosure of Campaign Contributions
9. Schedule Next Meeting
10. Closed Session – Legal Advice
11. Adjournment

Closed Meeting: Part of the meeting may be closed in accordance with Open Meetings Act procedures.

Public Participation: Members of the public may address the Board. Pursuant to §3.2B of the Board's bylaws, public participation at a meeting must be pre-scheduled and pre-approved by the Chairman. To request approval to speak at a board meeting, contact Donna Duncan at 410-269-2851 or by email donna.duncan@maryland.gov no later than 5 pm the day before the meeting.

Live Streaming: A link to watch the meeting will be available on SBE's website shortly before the meeting starts.

Date: 2020-11-		ELECTION DAY																							
LBE	Chief Judges				Provisional Judges				SDR Judges				Voting Operations Judges				Polling Places		Total Judges					Last Updated	Comments
	Required	Trained	Unassigned	Dropped Out	Required	Trained	Unassigned	Dropped Out	Required	Trained	Unassigned	Dropped Out	Required	Trained	Unassigned	Dropped Out	Total Precincts	Confirmed	Required	Apps on File	Trained	Unassigned	Dropped Out		
Allegany	12	0	0	0	7	0	0	0	0	0	0	0	100	0	0	0	6	6	119	119	0	0	0	9/2/2020	Chief Judges perform SDR
Anne Arundel	66	0	-114	0															66	180	0	-114	0	9/2/2020	
Baltimore City	60		0	0	0				0	0			1500				25	25	1560	4331	0	0	0	8/17/2020	We do not assign until they train. We do have recruits to fill these locations at this time. We have 2100 volunteers on file
Baltimore County	62		14	35	31		7	25	31		10	25	806		367	185	31	31	930	532	0	398	270	8/19/2020	
Calvert	10			0	5			0	N/A			0	60			0	5	5	75	75	0	0	0	8/17/2020	Provisional Judge perform SDR
Caroline	9			0	6			0	0			0	35			0	3	2	50	50	0	0	0	8/14/2020	Chief Judges perform SDR
Carroll	52	0	0	0	26	0	0	0	N/A			0	240	0	0	0	13	13	318	400	0	0	0	9/2/2020	Prov performs SDR, apps on file is a cumulative
Cecil	12		0	15	6			0	6			0	180			62	6	6	204	204	0	0	77	8/14/2020	Training starts 9/16/2020
Charles	16	0		0	8	0		0	8	0		0	353	0	0	0	8	8	385	385	0	0	0	9/3/2020	We begin training September 14th. Right now we have a surplus of 200 judges.
Dorchester	6		0	0	3			0	0			0	84			0	3	3	93	93	0	0	0	8/18/2020	
Frederick	28			0	14			0	14			0	308			0	41	41	364	364	0	0	0	8/19/2020	
Garrett	12	0	0	0	3	0	0	0	0			0	24	0	0	0	3	3	39	0	0	0	0	9/2/2020	Chief Judges perform SDR
Harford	36	36		0	36	24		0	18	12		0	288	401		0	18	18	378	1536	473	0	0	9/2/2020	We do not assign until training is complete. We have 280 judges scheduled for training in the next couple of weeks. Additional judges will be used during canvass.
Howard	51		-37	0	34			0	34			0	476		-27	0	17	17	595	659	0	-64	0	8/24/2020	
Kent	12	0	0	0	6	0	0	0	N/A			0	24	0	0	0	3	3	42	0	0	0	0	9/2/2020	Provisional Judge perform SDR
Montgomery	80	0	0	0	301	0	182	0	N/A			0	1469	0	-4203	0	39	39	1850	6031	0	-4021	0	9/3/2020	Interested applicants are encouraged to apply because priority for assignment is based on training date, not application date. Bilingual Election Judges especially needed.
Prince George's	80		0	0	0			0	240			0	2480			0	40	40	2800	2910	0	0	0	8/22/2020	Provisional Judge performs SDR functions.
Queen Anne's	8			0	4			0	4			0	76			0	4	4	92	92	0	0	0	9/2/2020	We do not assign until trained. We have the needed amount interested at this time.
St. Mary's	8		0	0	4			0	4			0	96			0	4	4	112	112	0	0	0	8/24/2020	
Somerset	6			0	6			0	6			0	22			0	3		40	6	0	0	0	8/18/2020	Chief Judges perform SDR
Talbot	8	0		0	8	0		0	0			0	67	0		0	4	4	83	116	0	0	0	9/2/2020	Prov performs SDR
Washington	24			0	22			0				0	273			0	11	10	319	503	0	0	0	8/18/2020	Provisional Judge performs SDR
Wicomico	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9/3/2020	
Worcester	16			0	8			0	8			0	125			0	4	1	157	0	0	0	0	8/19/2020	
Total	674	36	-137	50	538	24	189	25	373	12	10	25	9086	401	-3863	247	291	283	10671	18698	473	-3801	347	8/14/2020	

Date: 2020-11-1		EARLY VOTING																				Last Updated	Comments		
LBE	Chief Judges				Provisional Judges				SDR Judges				Voting Operations Judges				Polling Places		Total Judges						
	Required	Trained	Unassigned	Dropped Out	Required	Trained	Unassigned	Dropped Out	Required	Trained	Unassigned	Dropped Out	Required	Trained	Unassigned	Dropped Out	Total Precincts	Confirmed	Required	Apps on File	Trained	Unassigned	Dropped Out		
Allegheny	16	0	0	0	8	0	0	0	0	0	0	0	64	0	0	0	1	1	88	88	0	0	0	9/2/2020	Chief Judges will perform SDR
Anne Arundel				0				0				0				3			0	0	0	0	0	9/2/2020	
Baltimore City	98	0	0	0	0	0	0	0	0	0	0	0	200	0	0	0	8	8	298	0	0	0	0	8/17/2020	we do not assign until they train. we do have recruits to fill these locations at this time.
Baltimore County	176		0	25	88		29	10	88		23	15	2403		1335	500	11	11	2755	1452	0	1387	550	8/20/2020	numbers for all 9 days
Calvert	16			0	8			0	N/A			0	72			0	1	1	96	96	0	0	0	8/17/2020	Provisional Judge perform sdr
Caroline	16			0	8			0	0			0	72		16	0	1	1	96	80	0	16	0	8/14/2020	Chief Judges perform SDR
Carroll	64	0	0	0	32			0	N/A		0	0	256	0	0	0	2	2	352	100	0	0	0	9/2/2020	apps on file is cumulative for all positions
Cecil	16		0	0	8			0	8			0	160	0	0	84	1	1	192	192	0	0	84	8/14/2020	Have staffed Early Voting. Training in October
Charles	32	0	0	0	16	0		0	16	0		0	616	0		0	2	2	680	680	0	0	0	9/3/2020	
Dorchester	16		0	0	8			0	0			0	64		0	0	1	1	88	88	0	0	0	9/2/2020	
Frederick	64		0	0	32			0	32			0	768			0	4	4	896	896	0	0	0	8/19/2020	Required indicates one-day shifts. Assigned indicates those interested, not assigned. We do not assign until they train. Number who serve multiple days will decline due to longer hours. Provisional # includes SDR.
Garrett	56	0	0	0	16	0	0	0	0	0	0	0	100	0	0	0	2	2	172	50	0	0	0	9/2/2020	Chief Judges perform SDR
Harford	64	66		0	64	24		0	36	12		0	648	401		0	4	4	812	1536	503	0	0	9/2/2020	We do not assign until we train. We have 280 scheduled for training starting in a couple of weeks.
Howard	120		32	0	80		32	0	40			0	1160		220	0	5	5	1400	1116	0	284	0	8/24/2020	
Kent	20			0	10			0	N/A			0	48			0	1	1	78	0	0	0	0	9/2/2020	Provisional Judge perform sdr
Montgomery	176	0	0	0	220	0	0	0	N/A			0	3564		2493	0	11	11	3960	1071	0	2493	0	9/3/2020	Required indicates one-day shifts. We do not assign to roles until they train. Number of applications on file indicates subset of Election Day applicants who have specifically committed to working early voting.
Prince George's	22		0	0	0			0	132			0	1320			0	11	11	1474	3090	0	0	0	8/22/2020	Required indicates one-day shift. P.J's are crossed trained and perform as SDR.
Queen Anne's	32	0		0	16			0	16			0	184			0	2	2	248	248	0	0	0	9/2/2020	Required indicates one-day shifts. Assigned indicates willing judges at this time. Number of days per worker not determined yet, we don't assign until they've trained.
St. Mary's	32		0	0	16			0	16			0	48		0	0	2	1	112	112	0	0	0	8/24/2020	
Somerset	16			0	16			0	16			0	64			0	1		112	112	0	0	0	8/18/2020	Chief Judges perform SDR
Talbot	16	0	1	0	16	0	8	0	n/a			0	150	0		0	1	1	182	153	0	9	0	9/2/2020	Planning on 4 teams to work two non-consecutive days for the eight days
Washington	16		0	0	16			0	0			0	200			0	1	1	232	32	0	0	0	8/19/2020	Provisional Judge performs SDR
Wicomico	36			0	20			0	20			0	152			0	1	1	228	0	0	0	0	8/24/2020	Wicomico does not assign Early Voting Judges until training is complete.
Worcester	32			0	16			0	16			0	200			0	1	1	264	0	0	0	0	8/19/2020	# based on 8 days of early voting with one early voting center
Total	1152	66	33	25	714	24	69	10	436	12	23	15	12513	401	4064	587	75	73	14815	11192	503	4189	637	8/14/2020	

ELECTION JUDGES						
Election Judge Type	Required	Apps on File	Trained	Unassigned	% Vacant	Dropped Out
Chief Judges	674	879	36	-137	-20.33%	50
Provisional Judges	538	287	24	189	35.13%	25
SDR Judges	373	391	12	10	2.68%	25
Voting Operations Judges	9086	17141	401	-3863	-42.52%	247
Election Day Total Judges	10671	18698	473	-3801	-35.62%	347
Chief Judges	1152	761	66	33	2.86%	25
Provisional Judges	714	296	24	69	9.66%	10
SDR Judges	436	632	12	23	5.28%	15
Voting Operations Judges	12513	9503	401	4064	32.48%	587
Early Voting Total Judges	14815	11192	503	4189	28.28%	637
GRAND TOTAL	25486	29890	976	388	1.52%	984
POLLING PLACES						
	Total Precincts	Confirmed	Dropouts	Consolidated	Co-located	
Election Day	291	283	0	0	0	
Early Voting	75	73	0	0	0	



Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

Ballot marking device

1 message

Abigail Goldman -SBE- <abigail.goldman@maryland.gov>

Thu, Sep 3, 2020 at 2:25 PM

To: Nikki Charlson -SBE- <nikki.charlson@maryland.gov>, Armstead Jones <armstead.jones@baltimorecity.gov>

Nikki

Baltimore City is asking for the use of 4 BMDs for Election day Vote Centers.

Thanks

Abigail

--

Abigail Goldman, CERA
Deputy Election Director for Baltimore City
Benton Office Bldg. Room 129
417 E. Fayette Street
Baltimore, MD 21202
Phone: 410-396-5570
Fax: 410-962-8747

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Carroll County Board of Elections



300 South Center Street, Room 212 Westminster, MD 21157-5366

410-386-2080

MD RELAY: Call 711 or 800-735-2258 (TTY)

Toll Free: 1-888-302-8978

ccboe@carrollcountymd.gov

elections.carrollcountymd.gov

FAX: 410-876-3925

To: Maryland State Board of Elections
From: Katherine Berry, Election Director
Date: September 2, 2020
Re: Request to provide more ballot marking devices

Carroll County would like to provide four (4) ballot marking devices at all thirteen vote centers on election day. I am requesting authorization to do so.



Erin Perrone -SBE- <erin.perrone@maryland.gov>

Extra BMDs on Election Day

Guy Mickley -SBE- <guy.mickley@maryland.gov>

Fri, Aug 28, 2020 at 1:05 PM

To: Erin Perrone -SBE- <erin.perrone@maryland.gov>, Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

Howard County would like to employ more than two BMDs on Election Day to each one of the Vote Centers. Please use this email as my official correspondence to request that we are allowed to use four (4) BMDs at each one of my Vote Centers on Election Day.

Thank you.

Guy Mickley
Election Director
Howard County Board of Elections



Erin Perrone -SBE- <erin.perrone@maryland.gov>

Prince George's County Ballot Marking Devices

Alexander, Alisha L. <ALAlexander@co.pg.md.us>
To: Erin -SBE- <erin.perrone@maryland.gov>

Wed, Sep 2, 2020 at 3:25 AM

Erin:

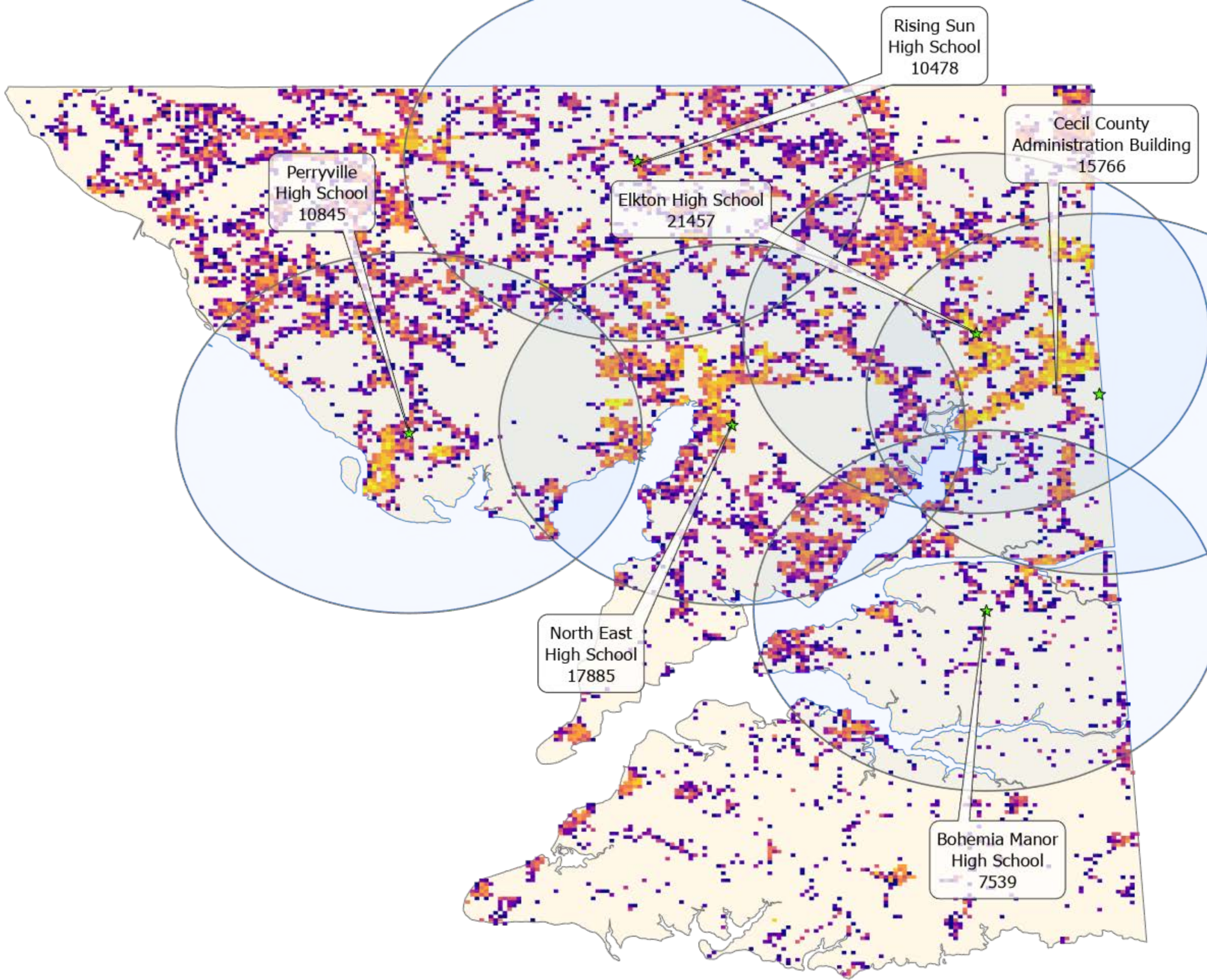
The Prince George's County Board of Elections is requesting to use a maximum of 20 ballot marking devices for early voting and Election Day.

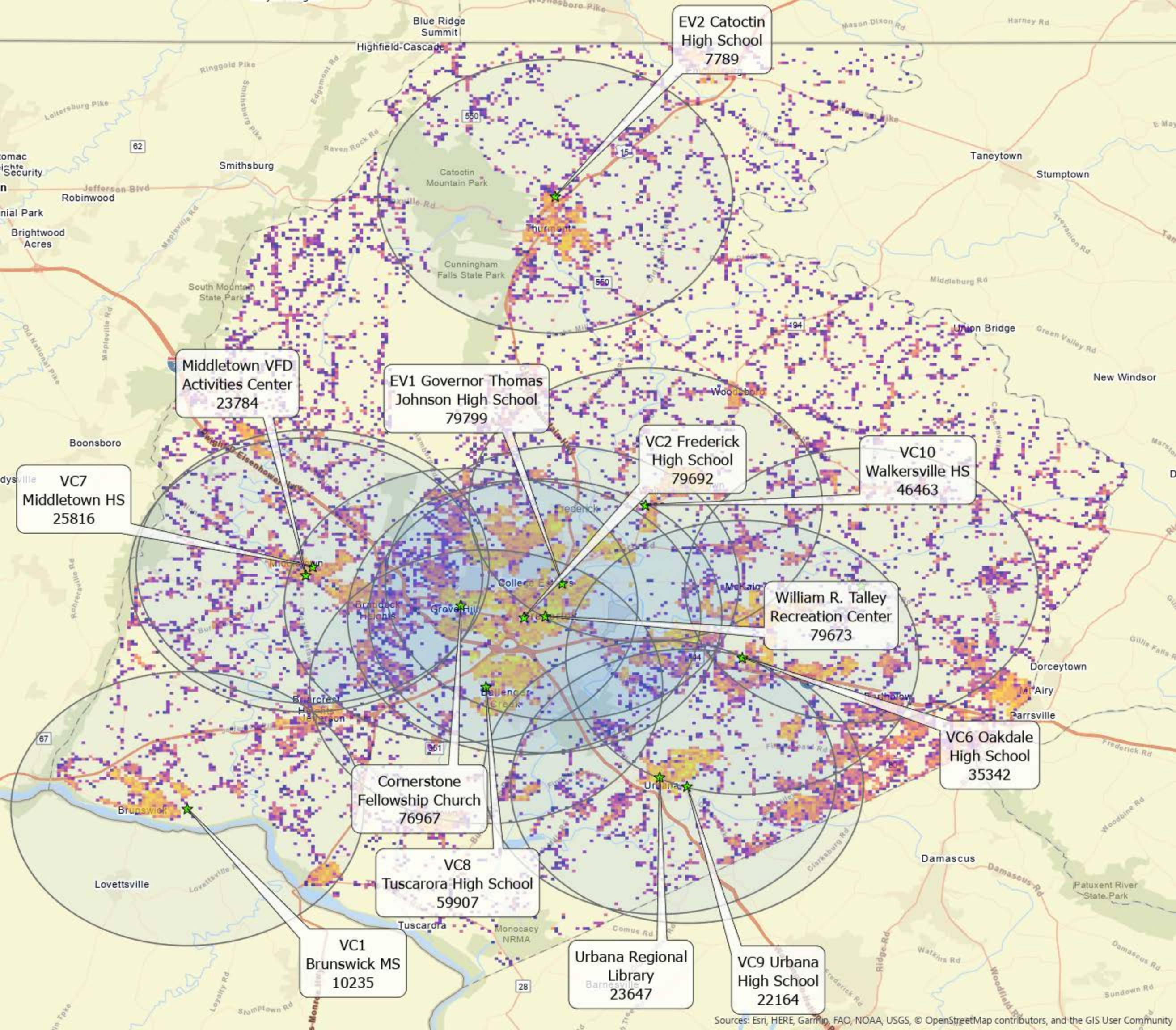
Please note that all sites will not have 20 BMD's. The total number of BMD's that will be placed at each site is based on the square footage and/or the total number of voters projected to vote at each site.

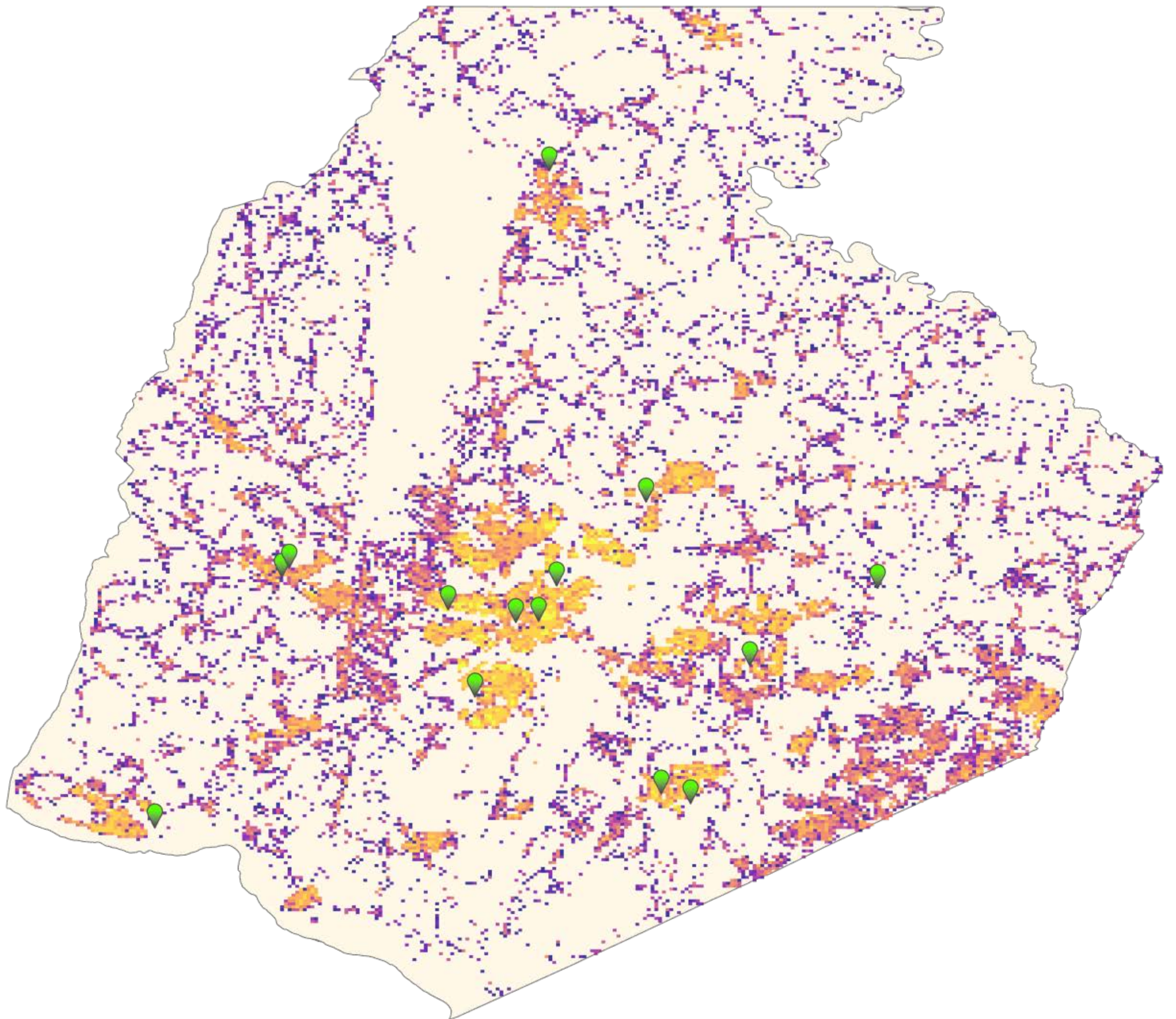
Thanks!

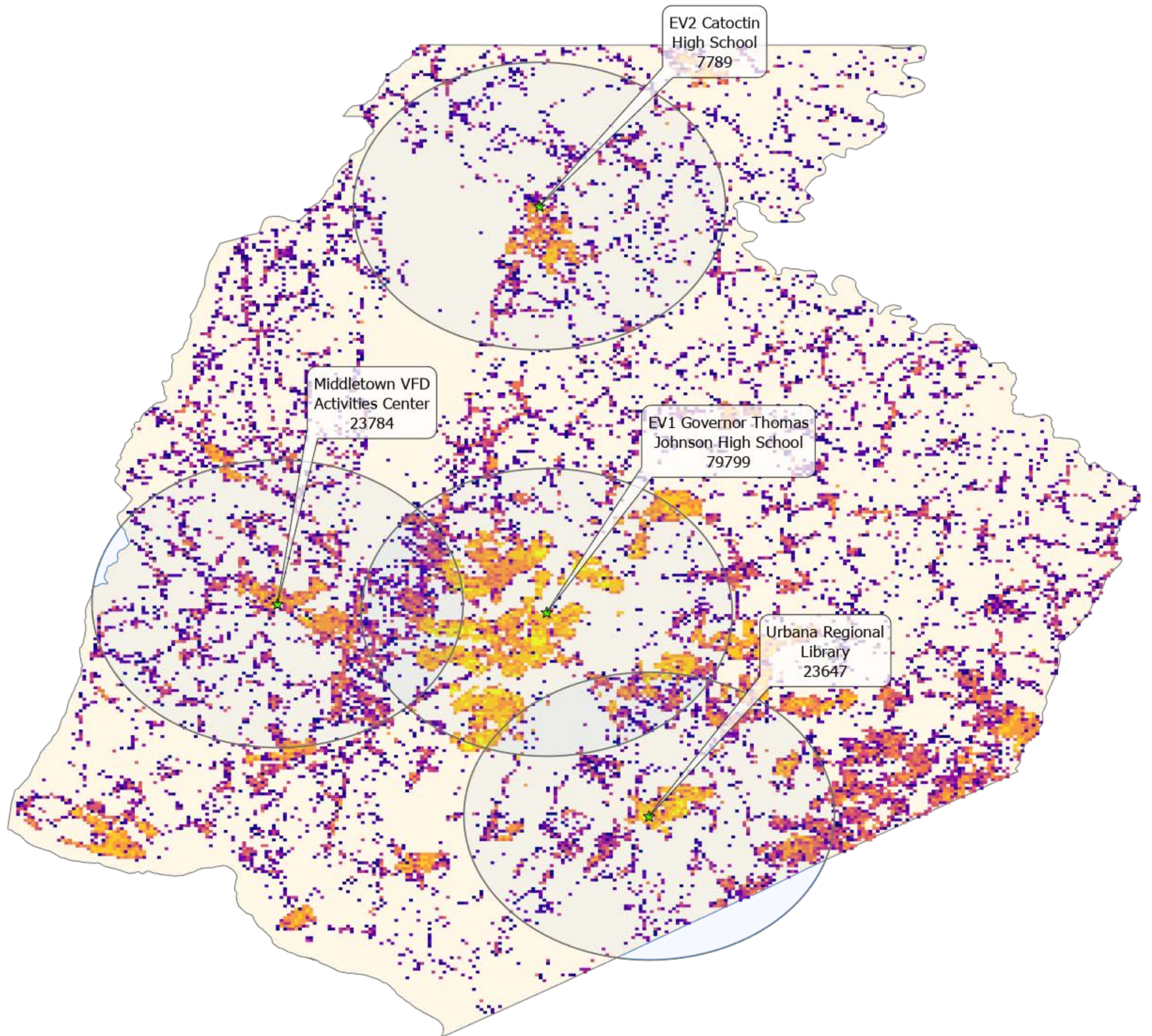
Sent from my iPhone

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EV2 Catoctin
High School
7789

Middletown VFD
Activities Center
23784

EV1 Governor Thomas
Johnson High School
79799

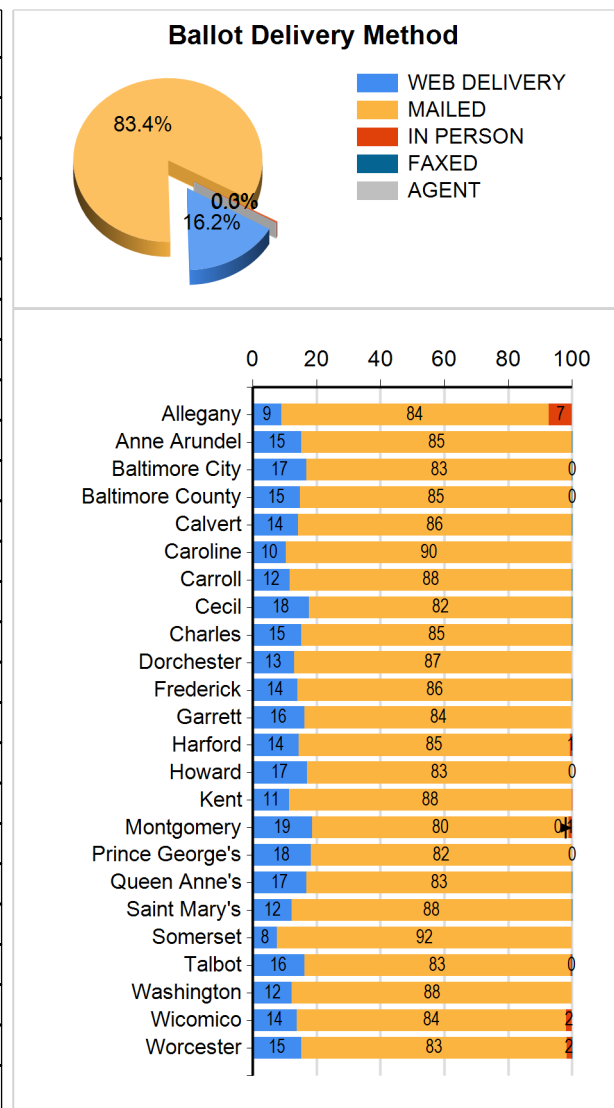
Urbana Regional
Library
23647

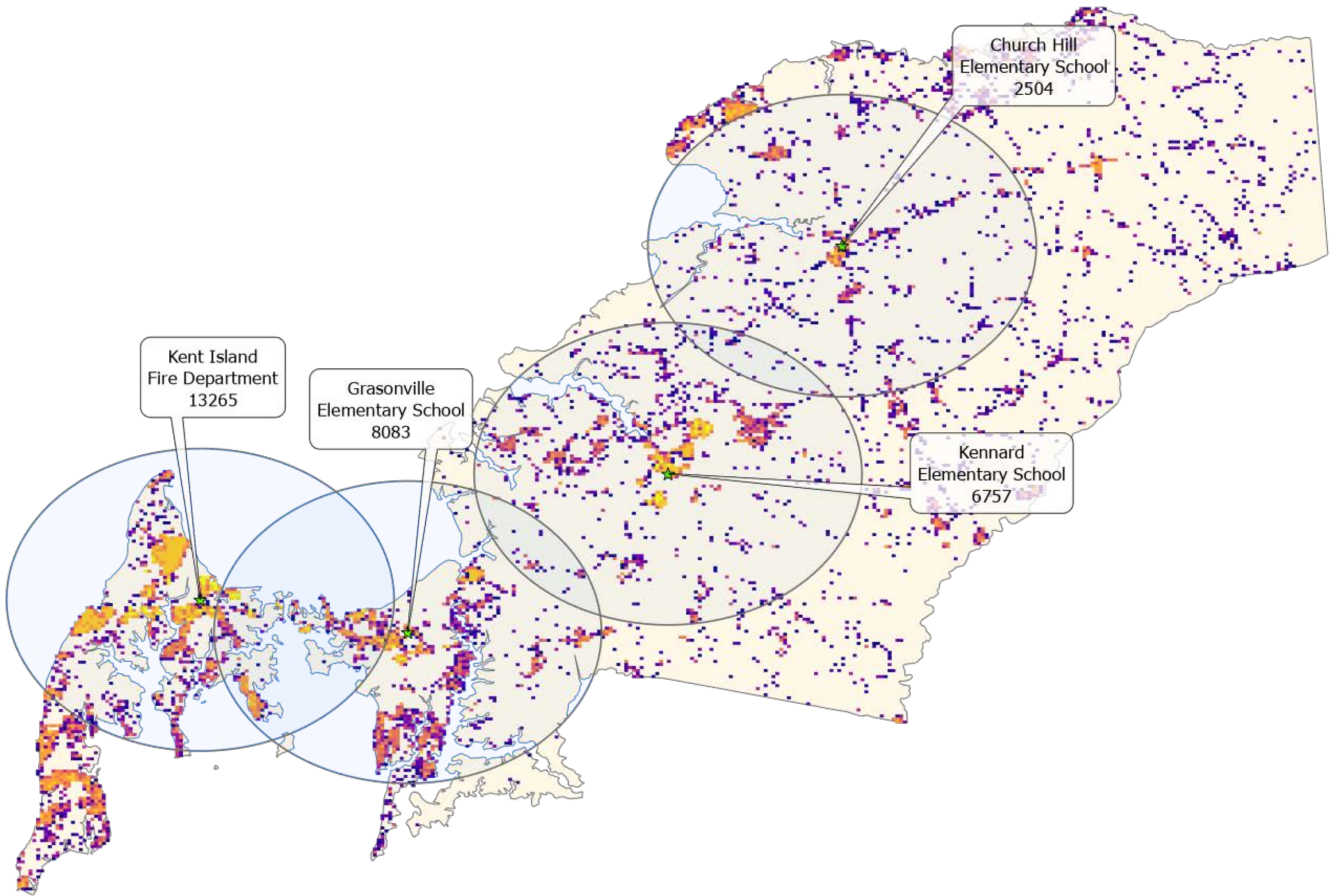
Mail-in Ballot Requests by County

Election: 2020 Presidential General Election

As of: September 3, 2020

COUNTY	HOW THE BALLOTS WILL BE DELIVERED					TOTAL
	AGENT	FAXED	IN PERSON	MAILED	WEB DELIVERY	
Allegany	0	0	200	2,308	248	2,756
Anne Arundel	0	6	0	51,551	9,329	60,886
Baltimore City	0	15	8	32,752	6,594	39,369
Baltimore County	0	15	7	60,352	10,461	70,835
Calvert	0	1	9	6,162	1,023	7,195
Caroline	0	0	0	1,128	130	1,258
Carroll	0	8	1	11,979	1,573	13,561
Cecil	0	1	0	3,057	656	3,714
Charles	0	4	4	10,989	1,980	12,977
Dorchester	0	0	0	806	120	926
Frederick	0	2	0	20,405	3,327	23,734
Garrett	0	0	0	750	146	896
Harford	0	7	106	13,706	2,313	16,132
Howard	1	12	0	31,223	6,391	37,627
Kent	0	0	2	1,247	162	1,411
Montgomery	1	54	1,158	100,204	23,134	124,551
Prince George's	2	5	20	41,928	9,349	51,304
Queen Anne's	0	1	0	2,435	496	2,932
Saint Mary's	0	3	3	6,836	961	7,803
Somerset	0	0	0	666	55	721
Talbot	0	1	11	2,537	492	3,041
Washington	0	0	0	6,264	879	7,143
Wicomico	0	0	74	3,336	546	3,956
Worcester	0	3	45	2,315	423	2,786
TOTAL	4	138	1,648	414,936	80,788	497,514



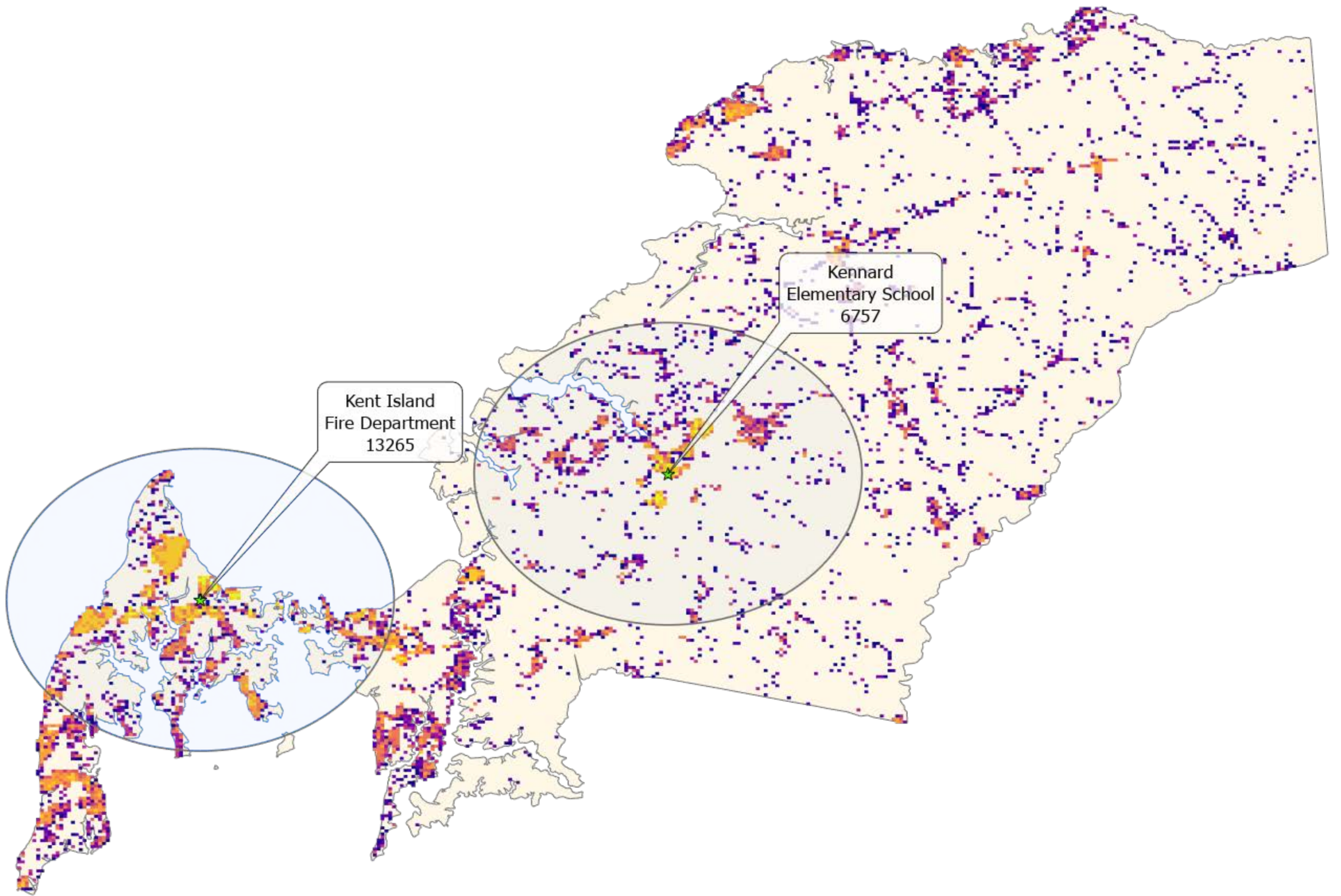


Kent Island
Fire Department
13265

Grasonville
Elementary School
8083

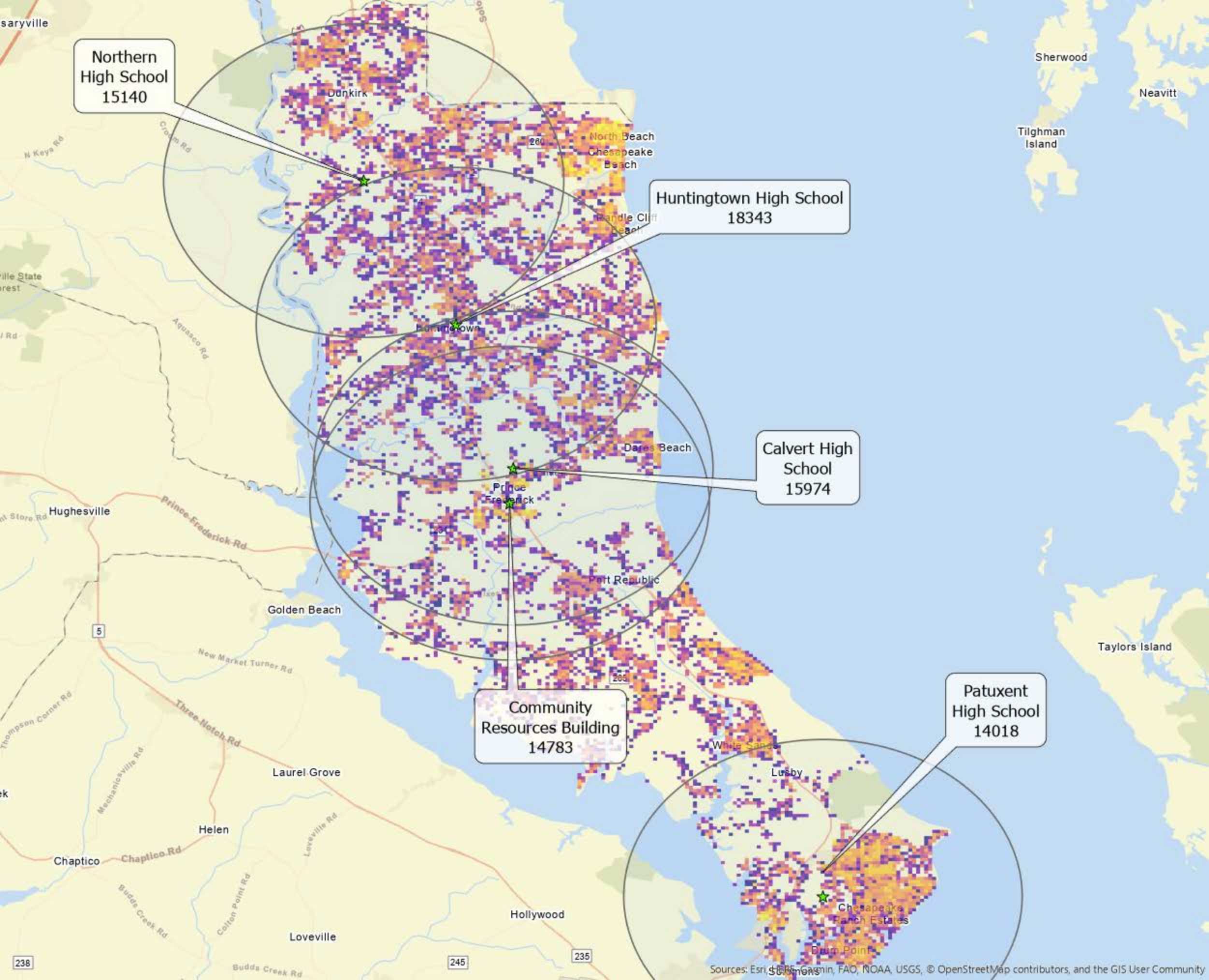
Church Hill
Elementary School
2504

Kennard
Elementary School
6757



Kent Island
Fire Department
13265

Kennard
Elementary School
6757



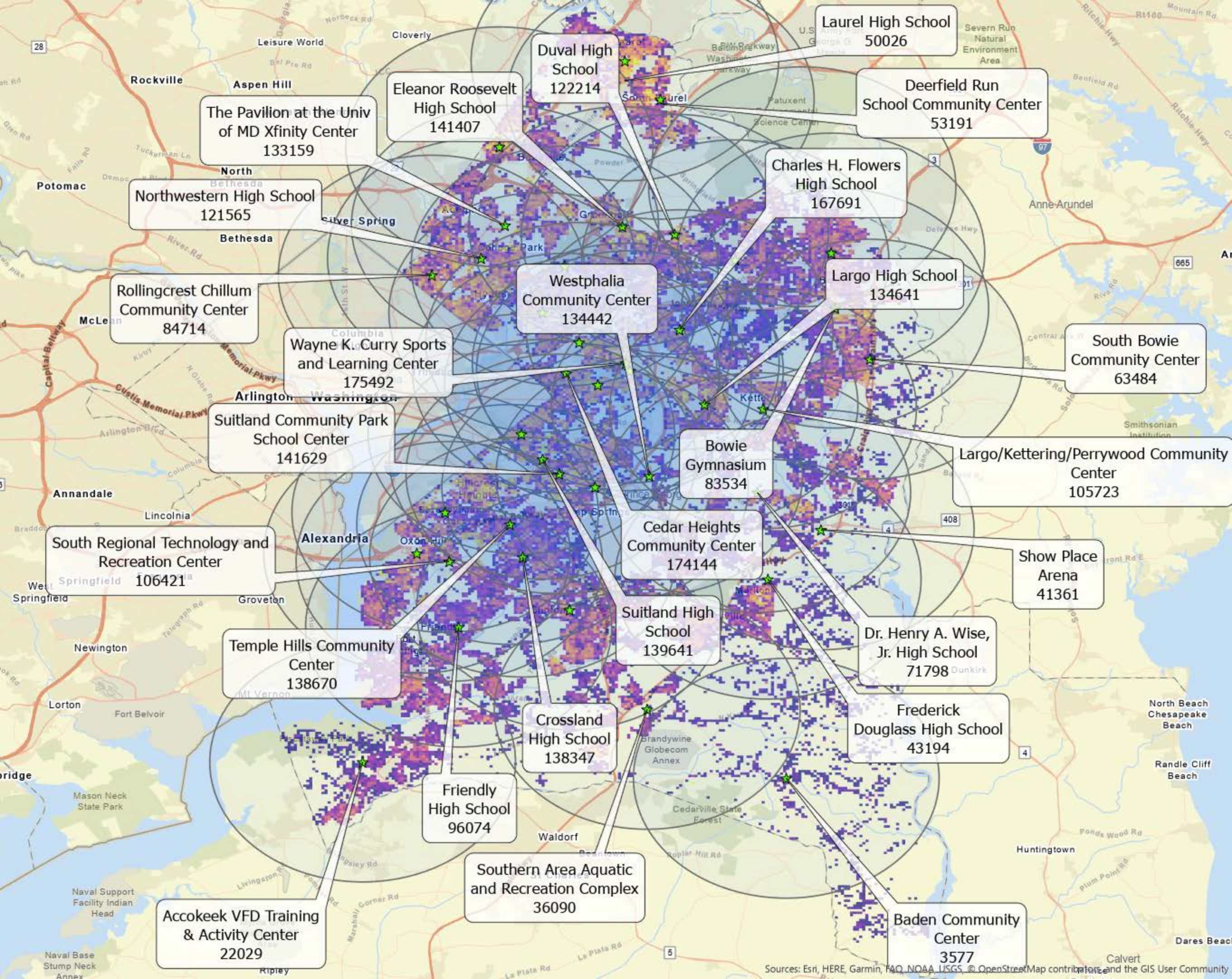
Northern High School
15140

Huntingtown High School
18343

Calvert High School
15974

Community Resources Building
14783

Patuxent High School
14018



The Pavilion at the Univ
of MD Xfinity Center
133159

Northwestern High School
121565

Rollingcrest Chillum
Community Center
84714

Wayne K. Curry Sports
and Learning Center
175492

Suitland Community Park
School Center
141629

South Regional Technology and
Recreation Center
106421

Temple Hills Community
Center
138670

Accokeek VFD Training
& Activity Center
22029

Eleanor Roosevelt
High School
141407

Duval High
School
122214

Westphalia
Community Center
134442

Cedar Heights
Community Center
174144

Crossland
High School
138347

Friendly
High School
96074

Southern Area Aquatic
and Recreation Complex
36090

Laurel High School
50026

Deerfield Run
School Community Center
53191

Charles H. Flowers
High School
167691

Largo High School
134641

South Bowie
Community Center
63484

Bowie
Gymnasium
83534

Largo/Kettering/Perrywood Community
Center
105723

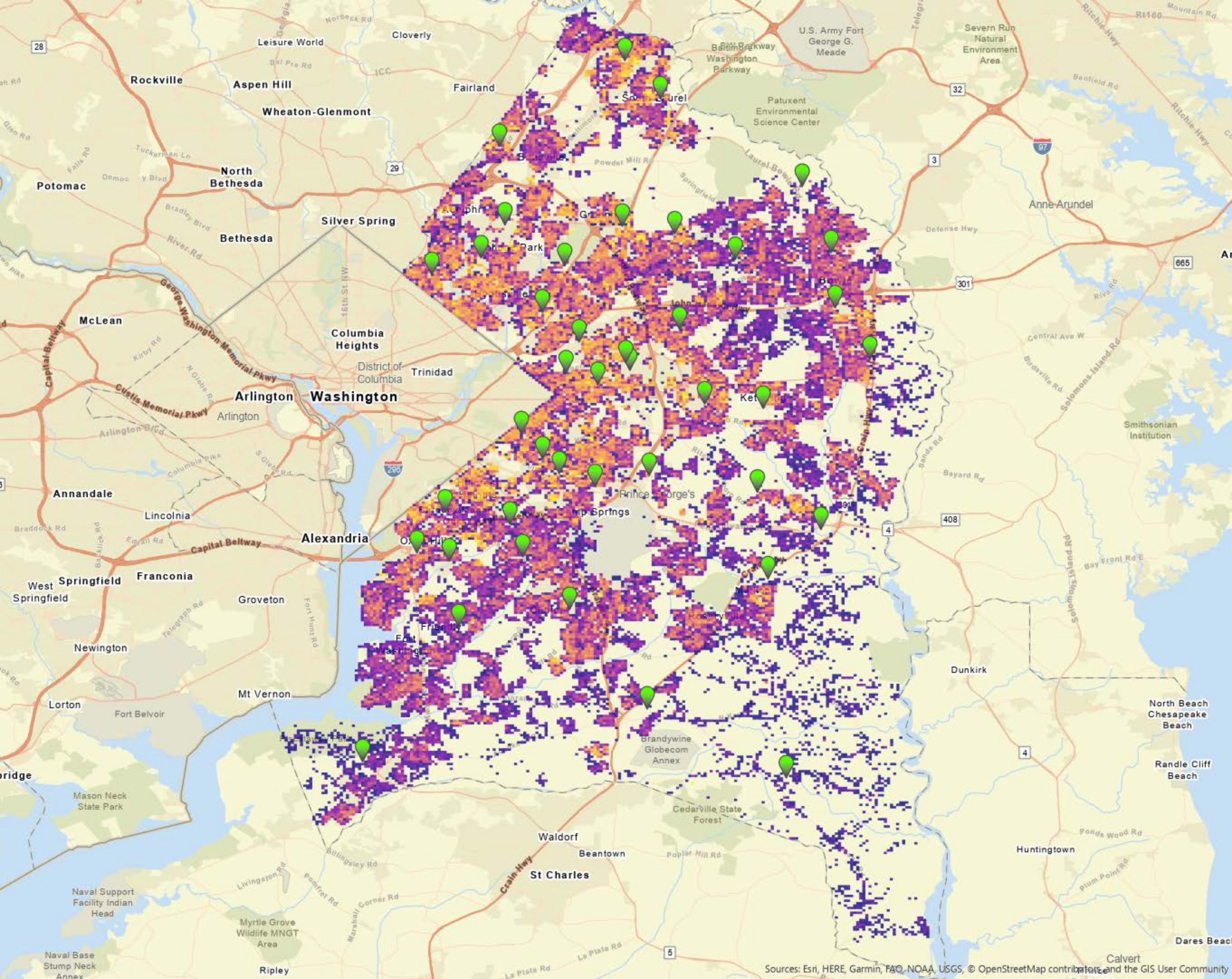
Show Place
Arena
41361

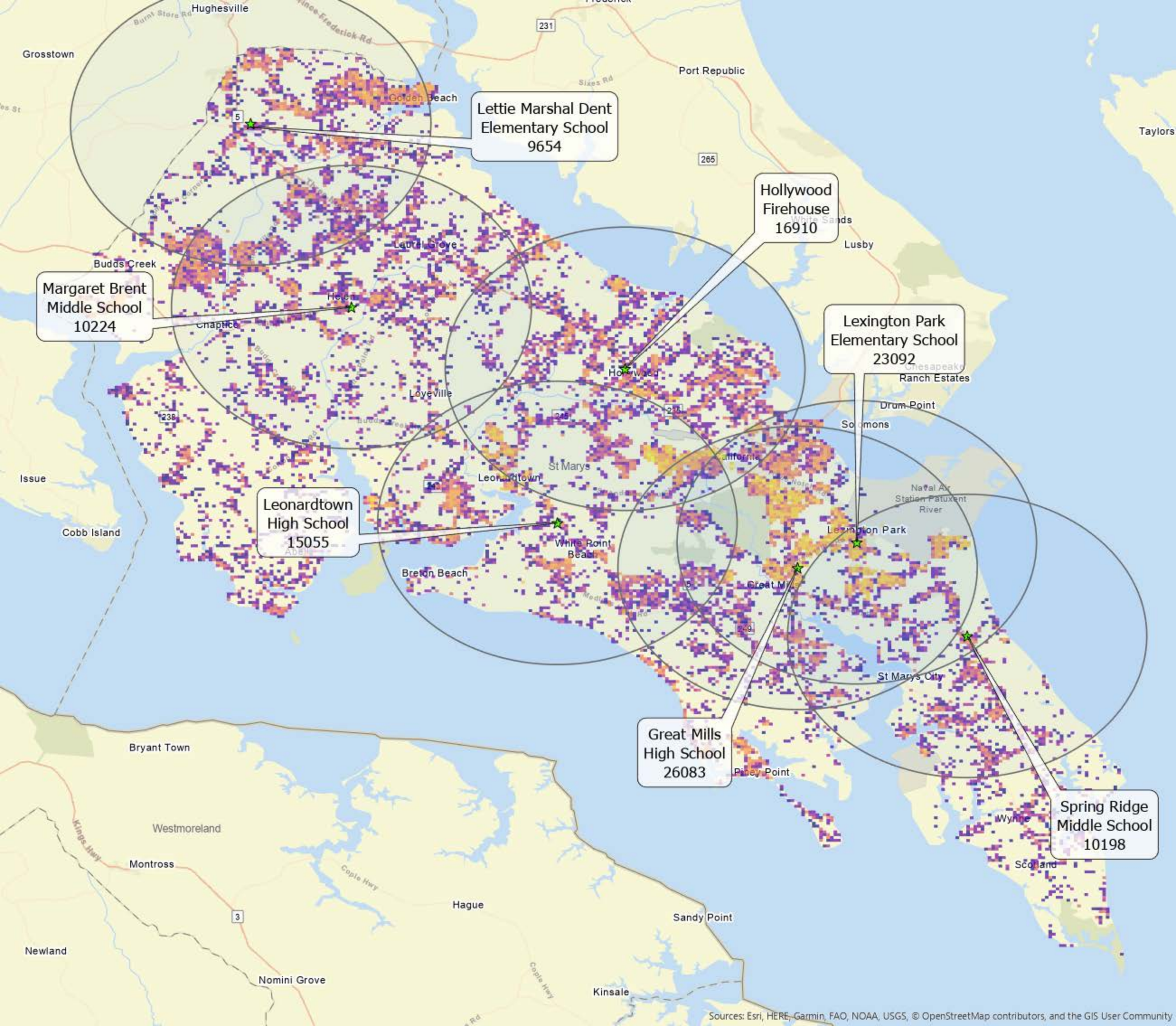
Suitland High
School
139641

Dr. Henry A. Wise,
Jr. High School
71798

Frederick
Douglass High School
43194

Baden Community
Center
3577





**Lettie Marshal Dent
Elementary School
9654**

**Hollywood
Firehouse
16910**

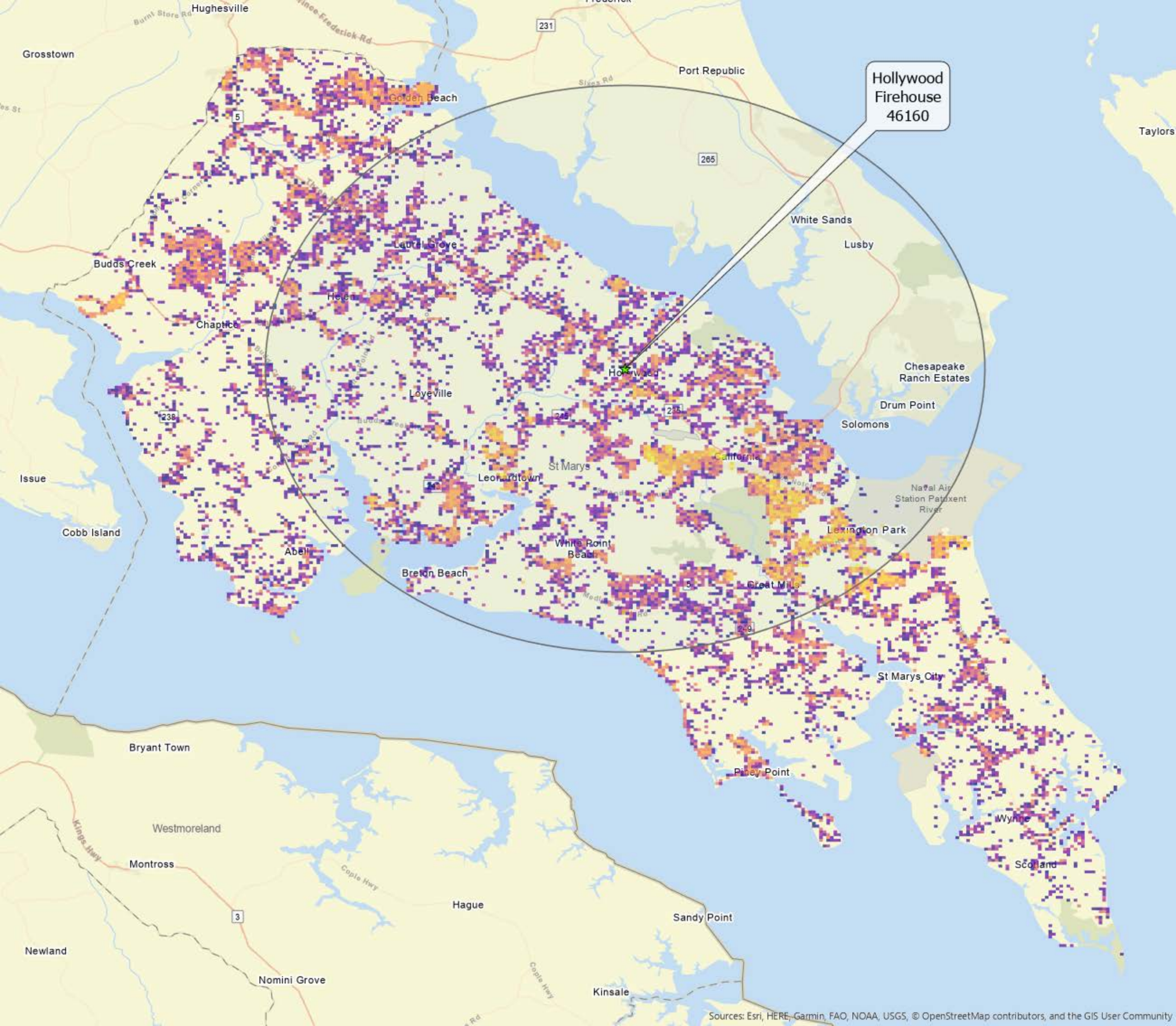
**Margaret Brent
Middle School
10224**

**Lexington Park
Elementary School
23092**

**Leonardtwn
High School
15055**

**Great Mills
High School
26083**

**Spring Ridge
Middle School
10198**



Hollywood
Firehouse
46160



BOARD OF ELECTIONS FOR ST. MARY'S COUNTY

P. O. BOX 197
41650 TUDOR HALL ROAD • LEONARDTOWN, MARYLAND 20650
Telephone: 301-475-4200 ext. *1625 • Fax: 301-475-4077

To: Nikki Charlson & Maryland State Board of Elections
Fr: Wendy Adkins, Director St. Mary's County
Dt: 09/02/2020
Re: Early Voting, Election Day Centers

St. Mary's County Board met this morning and would like to present the following updates to our 2020 General Early Voting center and Election Day centers proposal:

Early Voting: Updated

Hollywood Firehouse (Banquet Hall) located at 24801 Three Notch Road, Hollywood, MD 20636 is our regular early voting center that has been used in previous elections. All site selection process and security plan has been approved in the last election and the same procedures will be followed for this election. Security Plan is attached.

Great Mills High School can no longer be used as an early voting center Board rejected.

Election Day:

Hollywood Firehouse (Banquet Hall) located at 24801 Three Notch Road, Hollywood, MD 20636 is our regular early voting center that has been used in previous elections. The fire house is handicap accessible and an accessibility survey is on file. Public transportation does have a route that stops directly at the entrance of the firehouse. From the entrance to the front door is .06 miles. The banquet room is large enough that we will be able to abide by all social distancing guidelines by the CDC and manage the lines so that if we do have long lines, most voters will be inside. All voters will be made to enter one door and exit another. There is ample parking for voters.

Leonardtwn High School (Aux Gym) located at 23995 Point lookout road, Leonardtown, MD 20650 is an existing polling location. The school is handicap accessible and an accessibility survey is on file. Public transportation does have a route that stops directly at the school. The gymnasium is large enough that we will be able to abide by all social distancing guidelines by the CDC and manage the lines so that if we do have long lines, most voters will be inside. All voters will be made to enter one door and exit another. There is ample parking for voters.

Margaret Brent Middle School (Café) located at 29675 Point Lookout Road, Mechanicsville, MD 20659 is an existing polling location. The school is handicap accessible and an accessibility survey is on file. Public transportation does not stop directly at the school. Per the public transportation website, you can request drop off and pick up anytime if requested. There is a regularly scheduled stop within 5 miles. The cafeteria is large enough that we will be able to abide by all social distancing guidelines by the CDC and manage the lines so that if we do have long lines, most voters will be inside. All voters will be made to enter one door and exit another. There is ample parking for voters.

Great Mills High School (Gym) located at 21130 Great Mills Road, Great Mills MD 20634. The school is handicap accessible and an accessibility survey is on file. Public transportation does have a route that stops directly at the school. The gymnasium is large enough that we will be able to abide by all social distancing guidelines by the CDC and manage the lines so that if we do have long lines, most voters will be inside. All voters will be made to enter one door and exit another. There is ample parking for voters.

Lexington Park Elementary School (Café) (NEW) located at 46763 Shangri-La Drive, Lexington Park, MD 20653. Public transportation does not have a route that stops directly at the school the closest stop is .08 mile from the school. Per the public transportation website, you can request drop off and pick up anytime if a regularly scheduled stop is within 5 miles. The cafeteria is large enough that we will be able to abide by all social distancing guidelines by the CDC and manage the lines so that if we do have long lines, most voters will be inside. All voters will be made to enter one door and exit another. There is ample parking for voters.

Spring Ridge Middle School (Gym) (NEW) located at 19856 Three Notch Road, Lexington Park, MD 20653. Public transportation does not have a route that stops directly at the school the closest stop is 3.9 mile from the school. Per the public transportation website, you can request drop off and pick up anytime if a regularly scheduled stop is within 5 miles. The gym is large enough that we will be able to abide by all social distancing guidelines by the CDC and manage the lines so that if we do have long lines, most voters will be inside. All voters will be made to enter one door and exit another. There is ample parking for voters.

Lettie Marshal Dent Elem (Gym) (NEW) located at 37840 New Market Turner Road, Mechanicsville, MD 20659. Public transportation does not have a route that stops directly at the school the closest stop is 1.1 mile from the school. Per the public transportation website, you can request drop off and pick up anytime if a regularly scheduled stop is within 5 miles. The gym is large enough that we will be able to abide by all social distancing guidelines by the CDC and manage the lines so that if we do have long lines, most voters will be inside. All voters will be made to enter one door and exit another. There is ample parking for voters.

Title 33 STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 02 Applications

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 9-306, 11-301, and 11-302, Annotated
Code of Maryland

.05 Processing Applications — In General.

A. Date Stamp.

(1) Except as provided in §A(2) of this regulation, whenever an application is received by a local board office, the election director shall stamp it with the date received.

(2) An application need not be stamped if:

(a) *For the 2020 Presidential General Election held on November 3, 2020, it is received on or before October 18, 2020, provided that the election director stores the application in a container labeled with the date the application was received.*

(b) (text unchanged)

[(b)] (c) (text unchanged)

B. – D. (text unchanged)

Explanation: This proposed change removes the requirement for local boards to date stamp some applications for mail-in ballots. This change is requested because of the large number of applications that have been received and more applications that are expected.

- If a local board receives an application for a mail-in ballot on or before October 18, 2020, the local board is not required to date stamp the application but it must store the application in a container with a label showing the date the applications were received. (The deadline to receive an application is October 20, 2020.)
- If an application envelope is received on or after October 19, 2020, a local board must date stamp each application.

This change is being proposed as an emergency change. This means that this change would be effective for presidential general election only.

Title 33 STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 04 Canvass of Ballots — Procedures

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 11-301, 11-302, and 11-304, Annotated Code of Maryland

.01 Conduct Generally.

A. – B. (text unchanged)

C. *If a local board provides for:*

(1) In person observation of a canvass, the local board may use one individual assigned by the election director in lieu of the team required in Regulations .05 and .07; or

(2) Remote observation of a canvass, the local board shall use a team as required in Regulation .05 and .07.

.03 Start of Canvass.

A. When Required.

[[1] Except as provided in §A(2) of this regulation, the] *The board [shall] may start to canvass the absentee ballots [at 10 a.m. on the Thursday after the election] no earlier than 8 a.m. on October 1, 2020.*

[[2] The board shall start the second absentee ballot canvass at 10 a.m. on the second Friday after an election.

(3) If the start of an absentee canvass falls on a legal holiday, the board shall convene the absentee canvass on the next regular business day.]

B. (text unchanged)

Explanation: The proposed change to Regulation .01 defines when a local board can use a single individual to verify the timeliness of a mail-in ballot, the presence of a signed oath, opening the return envelope, and determining whether the ballot can be scanned.

1. If the local board can provide for in-person observation of the canvass, the local board may assign one individual to perform these tasks. A team is not required.
2. If the local board provides remote observation of the canvass (i.e., livestreaming), the local board must use a team of two individuals to perform these tasks.

The proposed change to Regulation .03 aligns the start of canvassing to the action the State Board took at its August 19, 2020 meeting. It allows the local boards to start canvassing ballots no earlier than 8 am on October 1, 2020.

These changes are proposed as emergency changes. This means that these changes will be effective for presidential general election only.

Title 33 STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 05 Canvass of Ballots — Rejecting Ballots

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 11-301, and 11-302, Annotated Code of Maryland

.04 Ballot Rejection — Multiple Ballots from the Same Individual.

The local board shall reject multiple absentee ballots as follows:

A. – B. (text unchanged)

C. If an absentee ballot and provisional ballot are received from the same individual, the local board shall reject [both ballots] *the provisional ballot*.

Title 33 STATE BOARD OF ELECTIONS
Subtitle 16 PROVISIONAL BALLOTS
Chapter 06 Canvass of Ballots — Rejecting Ballots

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-402, 9-403, 9-404, 9-406, and 11-303(c) and (e),
Annotated Code of Maryland

.04 Ballot Rejection — Multiple Ballots from the Same Individual.

A. (text unchanged)

B. If an absentee ballot and provisional ballot are received from the same individual, the local board shall reject [both ballots] *the provisional ballot*.

C. (text unchanged)

Explanation: If a voter votes both a mail-in ballot and a provisional ballot, the current regulations require that a local board of elections reject both ballots. This regulation does not work when mail-in ballots are counted before election day. A voter’s mail-in ballot could be counted before early voting starts, and if that voter votes a provisional ballot, only the provisional ballot can be rejected.

The proposed change requires the local board to reject a provisional ballot from a voter who also returned a mail-in ballot. This approach means that voters who vote a mail-in ballot and provisional ballot are treated the same – that is, their mail-in ballot will be counted (assuming that the mail-in ballot is timely and the oath is signed) – regardless of when they return their voted mail-in ballot or when their mail-in ballot is counted.

These changes are proposed as an emergency change. This means that these changes will be effective for the presidential general election only.