

Bylaws of the Maryland State Board of Elections

Article 1 – Adoption of Bylaws Generally	2
Section 1.1 – Definitions	2
Section 1.2 – Purpose.....	2
Section 1.3 – Enactment.....	2
Article 2 – Organization of the Board	2
Section 2.1 – New Members	2
Section 2.2 – Officers.....	2
Article 3 – Meetings	3
Section 3.1 – Time and Location.....	3
Section 3.2 – Rules of Order	3
Section 3.3 – Meeting Agenda.....	3
Article 4 – Rules of Conduct	4
Section 4.1 - Attendance	4
Section 4.2 - Political Activity	4
Section 4.3 – Ethics	5
Section 4.4 – Resignation and Vacancies.....	6
Section 4.5 – Level of Effort.....	6
Section 4.6 – Fiduciary Duty to the Board	6
Article 5 – Roles and Responsibilities.....	6
Section 5.1 – The Board	6
Section 5.2 – The Administrator and Staff.....	6
Section 5.4 – Delegation of Duties to the Administrator.....	6
Section 5.5 – Personnel Management.....	7
Article 6 – Miscellaneous	7
Section 6.1 – Per Diem and Reimbursement for Travel and Expenses	7
Signatures	8
Appendix 1	9

Article 1 – Adoption of Bylaws Generally

Section 1.1 – Definitions

- A. “Administrator” means the State Administrator as defined under §1-101(qq) of the Election Law Article.
- B. “Absence” means a duly appointed member is not present at or able to take part in a meeting.
- C. “Member” means a member of the board, regardless of whether the member has been duly confirmed by the Maryland Senate.
- D. “Vacancy” means a member was removed, died, or resigned from the board.

Section 1.2 – Purpose

These bylaws, adopted by the members of the Maryland State Board of Elections, provide the rules of governance for the board during the conduct of all duties assigned under State and federal laws and regulations. Further, these bylaws set a standard of personal conduct for members of the board requiring them to conduct themselves in accordance with high ethical standards in order to ensure the public that members are independent of partisan pressures and conflicting interests.

Section 1.3 – Enactment

- A. These bylaws shall be approved by a supermajority vote of the full board.
- B. These bylaws are effective and binding on all board members as evidenced by each member signing this document.
- C. When a new member is appointed to fill a vacancy, the new member must sign the bylaws.
- D. In order to amend the bylaws, a member must make a motion and present the amendment during a regularly scheduled meeting of the board. The motion to amend the bylaws must be approved by a supermajority vote of the full board at the next regularly scheduled meeting of the board.
- E. The bylaws shall be reviewed by the members of the Board on an annual basis at the first meeting of the calendar year. Members may propose changes to the bylaws at that time. If the bylaws are amended they will be voted and approved as provided by subsection A above.
- F. A copy of the approved bylaws and any amendments shall be posted on the SBE website.

Article 2 – Organization of the Board

Section 2.1 – New Members

New members must be sworn in by a Clerk of the Circuit Court of Maryland within 30 days of receiving the commission of appointment from the Governor. They must be either sworn in by the Clerk of the Circuit Court of the county in which they reside or, if sworn in another county, must file their commission with the Clerk of the Circuit Court in the county in which they reside.

Section 2.2 – Officers

- A. As required by § 2-102 of the Election Law Article, not later than August 1st of each year, the board shall elect by a supermajority vote a member to serve as chairman. The duties of the chairman include:
 - 1. Running the board meetings and setting agendas;
 - 2. Serving as the primary board member spokesperson for media inquiries; and
 - 3. Acting as the board’s primary point of contact for the administrator.
- B. At the same time the chairman is elected, the board shall also elect by a supermajority vote a member to serve as a vice-chairman. The vice-chairman shall not be a member of the same party as the chairman. The vice-chairman shall fulfill the duties of the chairman if the chairman is absent or unable to carry out the assigned duties.

Article 3 – Meetings

Section 3.1 – Time and Location

- A. Regular meetings. The Maryland State Board of Elections shall meet every month on the fourth Thursday at 2:00PM.
- B. Location. Unless circumstances dictate otherwise, board meetings will be held in the election office located at 151 West Street, Suite 200, Annapolis, Maryland.
- C. Public Notice. Except as provided in E of this section, public notice of regular meetings must be provided for at least one week prior to the meeting. Information on the SBE website and public display of the meeting agenda constitute public notice for purposes of this section.
- D. Cancellation of a regular meeting. The chairman may cancel a regular meeting of the board. Notice of cancellation must be given at least one week prior to the meeting.
- E. Special Meetings. The chairman of the board may call a special meeting. However, no votes may be taken at a special meeting unless three days prior notice has been given to all members, staff and the public.
- F. Immediate Action. If the chairman determines that an issue needs immediate board action that cannot wait until the next regularly scheduled meeting, the chairman may direct staff to poll the members to obtain their vote on the issue.

Section 3.2 – Rules of Order

- A. Quorum
 - 1. A quorum must be present to conduct official business of the board.
 - 2. A quorum of the board of elections shall consist of a majority of the membership of the board.
 - 3. In the event of a vacancy on the board, a quorum shall consist of a majority of members currently serving on the board.
 - 4. There shall be no effect on the quorum when a member of the board abstains or declines to vote or if a member is disqualified from participating under section 4.3 of these by-laws.
- B. Public participation at a meeting must be pre-scheduled and pre-approved by the chairman. Each Board member shall receive notice of all requests for public participation. The chairman may exercise discretion in determining whether to allow participation that has not been pre-scheduled and pre-approved.
- C. The board, with the advice of counsel, shall follow the requirements of the Open Meetings Act as specified under Title 3 of the General Provisions Article¹.

Section 3.3 – Meeting Agenda

- A. Each board meeting shall include, at a minimum, the following agenda items:
 - 1. Declaration of Quorum Present
 - 2. Approval of Prior Meeting Minutes
 - 3. Additions to the Agenda
 - 4. Administrator's Report
 - 5. Assistant Attorney General's Report
 - 6. Old Business
 - 7. New Business
 - 8. Confirmation of Next Meeting

¹ For information and guidance on the Open Meetings Act, see the Attorney General's *Open Meetings Act Manual* (6th ed., October 2006) - <http://www.oag.state.md.us/OpenGov/Openmeetings/support.htm>.

- 9. Closed Session (if needed)
- 10. Adjournment
- B. Additional items may be added to the agenda in advance of the meeting at the discretion of the chairman.
- C. The administrator shall provide the agenda to the members and publicly post the agenda at least one week prior the meeting.
- D. Prior to each meeting, the administrator shall submit to the board a written report of the activities of the office and all significant agency-related events since the last meeting. The report shall include information on personnel changes, meetings attended, significant correspondence received, voter registration activities, voting system activities, candidate filings, precinct and polling issues, and other projects or initiatives undertaken by the office. An oral summary of the written report shall be provided at each board meeting.
- E. Minutes
 - 1. Minutes shall be prepared by the administrator pursuant to SBE's *Guidelines for Conducting Meetings and Writing Minutes*².
 - 2. Closed meeting minutes shall include a summary of the meeting, the individuals in attendance, and the actions taken. The closed meeting minutes may be:
 - a. Included in the open meeting minutes; or
 - b. In a separate sealed document, provided that a summary of the closed meeting is provided in the open meeting minutes.
 - 3. If the administrator does not attend the closed meeting, the assistant attorney general or one of the members shall be responsible for preparing the closed meeting summary and minutes.
 - 4. Meeting minutes shall be prepared and presented to all board members within 5 business days after the meeting. The authority to approve the meeting minutes is delegated to the chairman. The chairman shall approve the minutes after the board members have had two full business days to review and comment on the minutes.
 - 5. The administrator shall post the approved open meeting minutes on the SBE website within 1 business day of the chairman's approval.

Article 4 - Rules of Conduct

Section 4.1 - Attendance

- A. As provided under § 8-501 of the State Government Article, a member of the board who fails to attend at least 50% of the meetings of the board during any consecutive 12-month period shall be considered to have resigned.
- B. Not later than January 15th of the year following the end of the 12-month period, the chairman shall forward to the Governor:
 - 1. The name of the member considered to have resigned; and
 - 2. A statement describing the member's history of attendance during the period.
- C. In the case where the chairman fails to attend meetings, the referral to the Governor shall be made by the vice-chairman.

Section 4.2 - Political Activity

- A. Statutory requirements. The members shall abide by the restrictions to political activities provided under § 2-301 of the Election Law Article. See Appendix 1.
- B. Additional requirements.
 - 1. Members shall place their public duties ahead of partisan, political considerations.

² The guidelines are available on the SBE online library in the local board folder - www.elections.state.md.us/online_library.

2. A member may not take an active part in the campaign management of a candidate or any matter that is subject to an election under the Election Law Article.
3. A member may attend political events held by candidates, political parties, or ballot issue committees provided that the member does not publicly indicate that he or she is a member of the board.
4. A member may make campaign contributions to entities that file with the State Board of Elections provided the member discloses the contributions to the board³.
5. A member may publicly display (including yard signs, bumper stickers, etc) support or opposition to candidates or issues on the ballot in any election for which the member will be serving on the board.
6. Members may wear campaign paraphernalia that shows support or opposition for or against candidates or issues on the ballot in any election for which the member will be serving on the board provided the member does not wear the campaign paraphernalia while performing board functions or while wearing a board name badge.
7. Party Activity
Members may not serve on an executive committee of the party or assume a role within the party that has decision making authority.
8. Petitions
 - a. A member may sign a petition.
 - b. A member may not circulate petitions.
- C. Members shall provide any required disclosure of an activity specified under subsection B at the board meeting immediately following the payment of the campaign contribution.

Section 4.3 - Ethics

- A. Members shall follow the provisions of the Maryland Ethics laws⁴, including:
 1. Within 30 days of receiving a commission from the Governor and by April 30th each year thereafter, file the Financial Disclosure Statement⁵ required under § 15-601 *et seq.* of the State Government Article; and
 2. Adhering to the prohibition against the solicitation or acceptance of gifts or honoraria⁶ as required under § 15-505 of the State Government Article.
- B. Disqualification due to Conflict of Interest
 1. A member shall recuse himself or herself and may not participate as to a matter if the member:
 - i. Has a relative with an interest in the matter and the member knows of the interest;
 - ii. Is part of a business entity which has an interest in the matter;
 - iii. Is negotiating employment or has arranged prospective employment with a business entity which has an interest in the matter;
 - iv. Has a direct financial interest in the matter;
 - v. Has provided support through a contribution to or volunteering for or a candidate or petition that is the subject of the matter; or
 - vi. Otherwise believes that participation would create a conflict of interest.
 2. A member may seek the advice from the assistant attorney general as to the presence of a conflict of interest or other good cause for disqualification.

³ This notice will provide the other board members with information to determine whether a conflict exists that will require recusal.

⁴ See the *Maryland Public Ethics Law Summary* provided by the State Ethics Commission to assist election officials and employees in meeting their obligations to voters, candidates, and political parties. Available on the SBE online library.

⁵ Financial Disclosure Statements can now be easily filed online - <https://efds.ethics.state.md.us/>.

⁶ See *Ethics and Standards for Election Officials and Employees* for detailed standards of conduct. Available on the SBE online library.

3. If a member does not voluntarily recuse himself or herself, the other board members may disqualify that member if a supermajority determines that the member has a conflict of interest that should disqualify that member from acting on a particular matter.
4. If a member recuses himself or is disqualified from participating in a matter before the board, the recusal or disqualification and the reason(s) for it shall be recorded in the meeting minutes.

Section 4.4 – Resignation and Vacancies

A member who chooses to resign shall provide written notice of the resignation to:

1. The Governor;
2. The state central committee of the party with which he or she is affiliated; and
3. The State Administrator.

Section 4.5 – Level of Effort

Members shall expend the time and effort necessary to ensure that they fully understand their duties and obligations as members of the State Board of Elections and generally understand important concepts in the administration of Maryland elections, such as: the process to register to vote; the purpose of provisional voting; general information about the voting systems; the absentee ballot process; campaign finance requirements; and important election deadlines.

Section 4.6 – Fiduciary Duty to the Board

Members have a fiduciary duty of care and loyalty to the board. Members shall put the interests of the board ahead of partisan interests, personal interests, or loyalties to other organizations in an effort to ensure the successful execution of the duties of the board. Members may not share confidential or sensitive information with outside entities, including matters discussed during closed sessions of the board.

Article 5 – Roles and Responsibilities

Section 5.1 – The Board

- A. The board shall carry out all duties assigned to it under the Election Law Article and federal law. (*See Duties of the State Board and State Administrator*).
- B. The board shall attend exclusively to top-level policies and plans and shall ensure compliance with mandatory requirements. The board shall not be involved in day-to-day activities of the election office.

Section 5.2 – The Administrator and Staff

- A. The administrator shall carry out all duties assigned to him or her under the Election Law Article, regulations, policies and procedures established by the board, and duties assigned or delegated by the board. (*See Duties of the State Board and State Administrator*).
- B. The administrator, as the State's Chief Election Official, is responsible for all aspects of managing elections in Maryland including the day-to-day operation of the State office, implementing State election laws and regulations, and serving as a subject matter expert for the Board, the General Assembly, and other stakeholders.

Section 5.4 – Delegation of Duties to the Administrator

The board delegates the duties designated in *Duties of the State Board and State Administrator* to the administrator.

Section 5.5 – Personnel Management

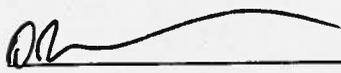
- A. As required under § 2-202(b)(2) of the Election Law Article, the board shall hire the administrator. The board shall follow the requirements of § 2-103(b)(7) of the Election Law Article if the board determines that the administrator should be removed for incompetence, misconduct, or other good cause.
- B. The administrator shall hire and supervise the staff of the State Board.
 - 1. The administrator shall perform or ensure the performance of annual performance evaluations of staff.
 - 2. The administrator shall follow the requirements of the State Personnel and Pensions Article and any applicable regulations in all matters concerning leave, discipline, or termination.

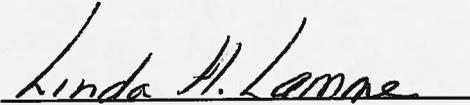
Article 6 – Miscellaneous

Section 6.1 – Per Diem and Reimbursement for Travel and Expenses

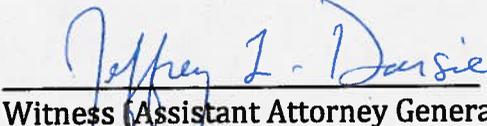
- A. When provided for in the State budget, the budget for the board shall include funds to pay each member per diem compensation for each day that the member is actually engaged in the discharge of official duties.
- B. The budget for the board shall include funds to reimburse members for expenses incurred while carrying out their duties as members.
- C. Reimbursement for an expense that was not budgeted for must be approved by the chairman prior to payment.

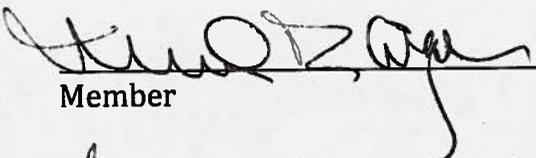
Signatures

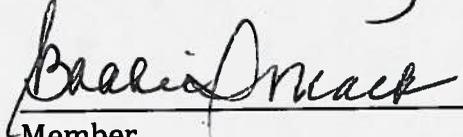

Member, Chairman 5/19/16
Date


Linda H. Lamm 5/19/16
Witness (Administrator) Date


Member, Vice Chairman 5/19/16
Date


Jeffrey L. Darsie 5/19/16
Witness (Assistant Attorney General) Date


Member 5/19/16
Date


Member 5/19/2016
Date


Member 5/19/2016
Date

Appendix 1

Election Law Article, Annotated Code of Maryland
§2-301.

(a) This section applies to:

- (1) a member of the State Board;
- (2) a regular or substitute member of a local board;
- (3) the State Administrator;
- (4) an employee of the State Board or of a local board, including the election director of a board;
- (5) counsel appointed under § 2-205 of this title; and
- (6) an election judge.

(b) (1) An individual subject to this section may not, while holding the position:

(i) hold or be a candidate for any elective public or political party office or any other office created under the Constitution or laws of this State;

(ii) use the individual's official authority for the purpose of influencing or affecting the result of an election; or

(iii) except as provided in paragraph (2) of this subsection, as to any candidate or any matter that is subject to an election under this article:

1. be a campaign manager;
2. be a treasurer or subtreasurer for a campaign finance entity; or
3. take any other active part in political management or a political

campaign.

(2) Notwithstanding paragraph (1)(iii) of this subsection, an election judge may engage in the activities of a political campaign, except:

(i) while performing official duties on election day; and

(ii) by serving as a campaign manager for a candidate or as the treasurer for a campaign finance entity.

(c) If the State Administrator determines that an individual is in violation of this section, the State Administrator:

(1) shall suspend the individual from duty until the completion of the next election; and

(2) notwithstanding any other provision of law, may make an interim appointment to ensure the orderly administration of this article.

State of Maryland

Duties of the State Board and State Administrator

	Citation	Duty of the State Board	Date Delegated
	EL §2-102(a)	Manage and supervise elections in the State and ensure compliance with the requirements of the Election Law Article and any applicable federal law	
	EL §2-102(b)(1)	Supervise the conduct of elections in the State	
	EL §2-102(b)(2)	Direct, support, monitor, and evaluate LBEs	
	EL §2-102(b)(3)	Have a staff sufficient to perform functions	
	EL §2-102(b)(4)	Adopt regulations	
✓	EL §2-102(b)(5)	Receive and audit campaign finance reports, account books and records, independent expenditure reports and records, electioneering communication reports and records, and statements and records of persons doing public business	
	EL §2-102(b)(6)	Appoint a State Administrator	
	EL §2-102(b)(7)	Maximize the use of technology	
	EL §2-102(b)(8)	Canvass and certify election results	
✓	EL §2-102(b)(9)	Provide public information on the election process, including publication of Election Law Article	
✓	EL §2-102(b)(10)	Receive and maintain election documents, materials, etc.	
	EL §2-102(b)(11)	Prescribe forms	
	EL §2-102(b)(12)	Serve as the official UOCAVA office	
✓	EL §2-104	Conduct a biennial pre-election meeting in the year	
✓	EL §2-106(a)	Maintain and dispose of its public records in accordance with State law	
	EL §2-202(b)(4)	Approve LBE regulations	
	EL §2-202(b)(11)	Approve Nursing Home Registration and Absentee Voting Procedures established by State Administrator	
✓	EL §2-302(a)&(b)	Be open for business during regular business hours and until 9:00pm on certain deadlines.	
	EL §2-303(f)	Establish criteria for polling place for precinct serving institute of higher education	
	EL §2-303(f)	Approve emergency precinct or polling place changes	
	EL §3-202(a)(4)	Approve an alternative VRA produced by an LBE	
✓	EL §3-203	With MVA, produce a VRA for use at MVA, specify the manner in which declination information is maintained, and specify the format MVA voter registration information is transferred	
	EL §3-204(a)	Designate public agencies and nongovernmental agencies as voter registration agencies where qualified individuals may apply to register to vote	
✓	EL §3-204.1(a)	May operate an online voter registration system	3/24/2016
✓	EL §3-504(a)	Prescribe format and times for reporting by DHMH and Clerks of Court to State Administrator	
✓	EL §3-602(c)	Make required corrections to voter registration record in accordance with court order	
✓	EL §4-102(a)(1)	Accept New Party petition filings	
✓	EL §4-102(d)	Review Constitution and By-laws and notify New Party State Chairman of petition verification and qualification status	
✓	EL §4-103	Notify the State chairman of a group that loses its status as a political party	
✓	EL §4-204(d)	Accept political party constitution, bylaw or rule adoptions or amendments	
✓	EL §4-204(e)	Accept notification from new political party of formation and size of newly formed local central committees	

✓ - Indicates duties that are ministerial functions carried out by staff or duties specifically delegated to the State Administrator.

	Citation	Duty of the State Board	Date Delegated
✓	EL §5-301	(b) Determine whether an individual filing a certificate of candidacy meets the legal filing requirements (f) Accept written notice from the Clerk of the Court of Appeals and Special Appeals of the names of Judges scheduled to stand for continuance in office in the upcoming election (h) Accept written notice from the Anne Arundel County Board of Education of what members are scheduled to stand for continuance in office in the upcoming election (new law HB 1114, Chpt 454) (g) Require a State Party Chairman to provide written reaffirmation of the party's presidential nominees if multiple nominees are submitted	
✓	EL §5-304	Accept the certificate of candidacy if it determines that all requirements are satisfied	
	EL §5-402	Authority to approve the return of a candidate filing fee upon a determination of good cause	
✓	EL §5-503	Accept candidate withdrawal forms	
✓	EL §5-703	Accept petition candidate's declaration of intent, certificate of candidacy and petition signature pages	
✓	EL §5-703.1	Accept new party candidate declaration of intent, certificate of candidacy and party certificate of nomination	
✓	EL §5-704	Accept write-in candidate certificate of candidacy	
✓	EL §5-705(b)	Issue a certificate of nomination to each candidate who files a certificate of candidacy with the State Board and who qualifies for nomination	
✓	EL §5-705(c)	Issue certificate of election to each successful candidate for delegate to a national party convention and each candidate to a party central committee	
✓	EL §5-801	Accept declination of nominations	
✓	EL §5-1001	Upon receipt of a change in nomination to fill a vacancy the State Board shall certify the nomination and substitute the name of the individual who has been designated and determined to be qualified. The State Board shall certify the information to the LBEs.	
✓	EL §5-1101	Issue a certificate of nomination by petition to a candidate for governor or lieutenant governor selected to fill a vacancy in nomination by petition.	
✓	EL §5-1203	Certify to each LBE the name of each nominee who has qualified for the general election ballot	
✓	EL §5-901 et seq.	Accept certificate of designation and certificate of candidacy for candidate designated to fill a vacancy	
✓	EL §5-1002 et seq.	Receive certificate of designation from central committee after filling vacancy due to death, declination or disqualification	
✓	EL §7-103	Prepare and certify to the appropriate LBE required information for a ballot question	
✓	EL §7-103	Furnish LBEs with copies of the complete text of all statewide questions	
✓	EL §7-104(d)	Prepare document including the complete text of each statewide ballot question, the non-technical summary and question as it will appear on the ballot. Supply a copy to be posted in each polling place in the State and distributed upon request to any voter.	
✓	EL §8-203(a)	Certify to the LBEs the names of candidates on the primary election ballot	
✓	EL § 8-502(f)	Certify to the LBEs the names of the candidates for President qualified for ballot placement	
✓	EL §8-710(d)(4)	In a special election to fill a congressional vacancy, accept a declination of nomination	
✓	EL §8-711	Certify to the appropriate LBEs the name, residence, and party affiliation of each candidate who qualifies to appear on the special primary or general election ballot to fill a Congressional vacancy	
	EL §9-101(a)	In consultation with the LBEs, select and certify a voting system	
	EL §9-101(c)	Acquire the voting system selected and certified	

	Citation	Duty of the State Board	Date Delegated
	EL §9-102(c)	Periodically review and evaluate alternative voting systems	
	EL §9-102(d) – (f)	Determine and consider certain factors during the voting system certification process	
	EL §9-103	Decertify a voting system if the voting system no longer meets one or more of the required standards	
✓	EL §9-202	Certify the content and arrangement of each ballot to be used in an election	
✓	EL §9-207(a) & (c)	Certify and deliver ballot content and arrangement to LBEs	
✓	EL §9-207(e)	Begin printing ballots after 2 days of public display and correct any noted errors	3/24/2016
✓	EL §9-308.1(b)	Online ballot marking tool	3/24/2016
✓	EL §9-208	Approve post-certification changes to the ballot	
✓	EL §9-216	Monitor and periodically review the performance of the LBEs in their compliance with ballot accountability requirements	
✓	EL §9-303(c)	In consultation with LBEs, assess the absentee voting guidelines before each primary election	
✓	EL §9-401	Include in the annual budget the funding necessary for provisional voting judges	
✓	EL §9-403(c)	In consultation with the LBEs, assess the provisional voting guidelines before each primary election	
	EL §9-503(d)	Approve change in voting centers for special election	
✓	EL §10-206(a)	In consultation with the LBEs, develop a program of instruction for election judges and oversee the implementation of the program	
✓	EL §10-206(c)	Develop a process for the evaluation of the training program and the performance of the polling place staff in each county	
✓	EL §10-206(e)	Provide election judges with uniform statewide training on the voting system	
	EL §10-301.1(b)(6)	Collaborate with LBE and county governing body to establish an additional early voting center	
	EL §10-301.1(c)	In collaboration with LBE, designate each early voting center	
✓	EL §10-301.1(f)	Inform the public about early voting and the locations of early voting centers	3/24/2016
✓	EL §10-306	In consultation with the election directors of the LBEs, develop and produce the specified informational materials to be posted in each polling place	
	EL §10-308	Accredit individuals to have access to voting rooms	
✓	EL §11-303(f)	Ensure the establishment of a system that any individual who casts a provisional ballot may access without cost to discover whether the ballot was counted, and if not counted, the reason it was not	
✓	EL §11-308(c)(2)	Maintain a file of any written statements of dissent submitted by a Board member to a determination of an election result	
✓	EL §11-402	Make available in an electronic format a report of election results	
✓	EL §11-501(a)	Convene to prepare and certify statewide election results following each gubernatorial primary or special primary election	
✓	EL §11-501(b)	If a SBE member dissents from a determination of an election result, the Board shall maintain a file of the written dissent statement	
✓	EL §11-503(b)	If a State Board of Canvassers member dissents from a determination of an election result, SBE shall maintain a file of the written dissent statement	
	EL §11-603(a)	Certify election results	
✓	EL §11-603(b)	Deliver the certified results, under its seal, to each individual who is declared elected, each individual who is continued in office and other specified individuals	
✓	EL §12-101 – 12-104	Notify each appropriate LBE of a recount petition or counterpetition that is filed with the State Board	
✓	EL §12-106(b)	Monitor and support the work of any LBE conducting a recount	
	EL §12-106(d)	When appropriate following the completion of a recount, correct primary and general election returns and certificates	

	Citation	Duty of the State Board	Date Delegated
✓	EL §13-103(a)	Prepare a summary of the election law that relates to campaign finance activity and provide for distribution of the summary	
✓	EL §13-103(b)	Provide LBEs with forms required to administer campaign finance laws	
✓	EL §13-235	May institute a civil action on fundraising during the legislative session	5/19/2016
	EL §13-313	Authority to terminate a campaign finance entity upon good cause	
✓	EL §13-324(a)(2)	Exempt a campaign finance entity with de minimis financial activity from the requirement to submit campaign finance reports electronically	
✓	EL §13-324(b)	Supply electronic filing software to a person who is required to file campaign finance reports	
✓	EL §13-324(d)	Make campaign finance report data widely and easily accessible to the public	
✓	EL §13-324(f)	Develop specifications for submitting campaign finance reports	
✓	EL §13-327	Notify responsible officers in writing of campaign finance deficiencies	
✓	EL §13-328	Compile a list of campaign finance entities that failed to file	
✓	EL §13-331	Assess a late filing fee for a failure to file a campaign finance report	
✓	EL §13-333(b)	Certify that all campaign finance reports due on behalf of an individual have been filed	3/24/2016
✓	EL §13-334	May investigate and hold a hearing for withholding a salary of an elected official who has failed to file a campaign finance report and failed to pay any late fee <i>Note: Authority to investigate was delegated. Authority to hold hearing not delegated.</i>	3/24/2016
✓	EL §13-335	Issue show cause notice for failure to file and make referral to the state prosecutor	
	EL §13-337	Approve the State Administrator's determination to waive a late fee	
✓	EL §13-340	Collect late fees.	
✓	EL §13-341	Receive and preserve all campaign finance reports	
✓	EL §13-505(b)(7)	County system of public campaign financing shall be subject to regulation and oversight by the State Board <i>Note: Oversight authority delegated. Authority to regular not delegated.</i>	3/24/2016
✓	EL §13-601.1	May impose a civil penalty for enumerated violations	3/24/2016
	EL §14-104(c)(2)	May waive the contract information for persons doing business with the State	
✓	EL §14-104(d)	Retain each statement filed under Title 14 as a public record for at least 2 years after its receipt and make the statement available for public examination and copying	
✓	EL §14-107(c)	May impose late filing fees for failure to file by persons doing public business	3/24/2016
	EL §15-105(b)	Certify the expenditure limit for each election for candidate receiving public funding	
✓	EL §15-105(c)	Determine the population of the State	3/24/2016
✓	EL §15-106(a)	Authorize the distribution of public campaign funds	3/24/2016
✓	EL §15-106(b)	Allocation of money if State Board determines there is not sufficient money in the Fund	3/24/2016
✓	EL §15-106(c)	Authorize distribution of funds for primary election	3/24/2016
✓	EL §15-106(d)	Authorize distribution of funds for general election	3/24/2016
	EL §15-109	Administer Title 15	

Duties of the State Administrator

Citation	Duty of the State Administrator
EL §2-103	General powers and duties of the State Administrator
EL §2-104	Excuse required participants from the biennial meeting
EL §2-202(b)(11)	Establish procedures for administering voter registration and absentee voting at nursing homes and assisted living facilities.
EL §2-303(d)	Receive written description of new or changed precinct boundary from LBE.
EL §2-303(e) (f)	Approve precinct changes from January 1 two years before census until effective date of redistricting. Provide documents to Secretary of Department of Planning and Executive Director of Department of Legislative Services
EL §3-101(c)	Define, maintain, and administer the statewide voter registration list
EL §3-504(a)(2)	Make arrangements with the clerk of the US District Court for the District of Columbia to receive reports of individuals convicted of infamous crimes
EL §3-504(b)	Transmit information about deceased or ineligible voters gathered from other agencies to LBEs
EL §3-506	Provide a copy of the statewide voter registration list to the jury commissioner on request.
EL §3-601.1	Can determine if clerical error was made in voter registration record and authorize corrective action to be taken including authorization for voter to vote on election day.
EL §5-1204	Determine, in consultation with local election director, whether there is time to revise a ballot due to a vacancy in candidacy
EL §6-202	Receive written application for removal of name from petition
EL §6-206	Review petitions and determine the sufficiency or deficiency of the petition.
EL §6-208	Determine whether the validated signatures contained in a petition are sufficient to satisfy all requirements and certify that the petition process has been completed
EL §6-210	Make an advance determination on a petition.
EL §8-505	Provide official election documents for Meeting of Presidential Electors.
EL §8-5A-01	Determine the number of votes each presidential slate received and shall designate the "national popular vote winner." Shall certify this information to other participating states and the public.
EL §8-710	Notify the State Board and the LBEs of the Governor's proclamation of a special election to fill a Congressional vacancy
EL §11-502	Serve as Secretary to the Board of State Canvassers
EL §13-340	Direct late fee collected to appropriate budget category.
EL §13-337	Consider a request for a waiver of a late filing fee

Prescribed, guidelines regulations procedures – forms guidelines and procedures

Forms, Guidelines, Procedures, and Regulations

Citation	The Board is required to prescribe, develop, or adopt:
EL §2-202(b)(11)	Procedures for administering voter registration and absentee voting at nursing homes and assisted living facilities
EL §2-303(g)	Regulations governing new or changed precincts or polling places
EL §3-101(c)(4)	Regulations for voter list maintenance
EL §3-101(d)	Regulations governing the conduct of voter registration
EL §3-202(a)(4)	A statewide voter registration form
EL §3-204(h)	In cooperation with various agencies, regulations for training employees and dissemination and collection of voter registration information and forms
EL §3-301(c)	Voter acknowledgement notice (VNC)
EL §3-302(c)(1)	Regulations establishing timeliness guidelines for a VRA
EL §3-302(b)(2)	Regulations establishing timeliness guidelines for change of party affiliation
EL §3-304(a)(2)	Regulations governing voter change of name and address during periods when registration is closed
EL §3-305(e)	Regulations and procedures for early voting
EL §3-502(a)	The voter registration confirmation notice

Citation	The Board is required to prescribe, develop, or adopt:
EL §3-503(b)(5)	Inactive Voter Affirmation Notice
EL §3-504(c)	Letter for use by an LBE to confirm a report of a death
EL §3-505	Regulations for retention, storage and access to voter registration records and for voter list maintenance.
EL §3-602	Administrative complaint procedures
EL §5-302(c)(2)	Regulations on LBE supplied information on local candidates
EL §5-304(b)	The certificate of candidacy
EL §5-401(c)	A form for a candidate to set forth grounds for the candidate's inability to pay the required candidacy filing fee.
EL §5-703.1(e)	The certificate of nomination
EL §5-801	Declination of nomination form
EL §6-103	Regulations to carry out the Title 6 – Petitions. A form for and the content of petitions. Guidelines and instructions relating to the petition process.
EL §6-205(b)	Regulations establishing petition filing location
EL §6-207	Regulations to establish the process to be followed for verifying and counting signatures.
EL §7-105	Regulations governing notice of questions to appear on the ballot.
EL §8-103	Guidelines concerning methods for addressing possible emergency situations.
EL §8-502(e)	Procedures for votes to be cast as uncommitted to any presidential candidate in the Democratic presidential primary.
EL §8-503	A form for political parties to use to certify to the State Board the names of individuals nominated as candidates for presidential election by a candidate for President of the United States who was nominated by petition.
EL §9-102(b)	Regulations for the review, certification, and decertification of voting systems.
EL §9-102(i)	Regulations relating to the requirements for each voting system selected and certified.
EL §9-208(b)(3)	Regulations notifying the public of a late ballot change if there is insufficient time for reprinting the ballot.
EL §9-215(c)	Regulations providing standards for printing of ballots.
EL §9-216	Regulations for LBE ballot accounting, control, storage and disposition
EL §9-301	Forms necessary to implement absentee voting.
EL §9-303	Guidelines for the administration of absentee voting.
EL §9-309	Instructions for marking and returning an absentee ballot
EL §9-310	The form and content of absentee ballot envelopes and oath.
EL §§9-401, 9-405, 9-406	Forms necessary to implement provisional voting.
EL §9-403	Guidelines for the administration of provisional voting.
EL §9-407	Instructions for marking and returning a provisional ballot.
EL §9-501, 9-501	Regulations for voting by mail
EL §10-102(b)(2)	A form for a voter to request a polling place reassignment.
EL §10-204(b)	A form for the election judge oath and commission
EL §10-301.1(h)	Regulations for early voting
EL §10-310	A form for voter requiring assistance
EL §10-311(c)	A form for designating a challenger and watcher.
EL §10-315	A form for an employee to submit proof of voting to an employer that has given the employee time off for voting
EL §11-201	Regulations for conducting canvassing.
EL §11-301(a)(3)	Regulations providing for observation and understanding of the canvass by those individuals in attendance.
EL §11-302(d)	Regulations that reflect the policy that the clarity of the intent of the voter is the overriding consideration in determining the validity of an absentee ballot or the vote in a particular contest.
EL §11-303	Regulations to implement the canvassing of provisional ballots.

Citation	The Board is required to prescribe, develop, or adopt:
EL §11-303(d)(4)	Regulation establishing the identification requirements for a voter who cast a provisional ballot because the voter failed to provide required identification at the polling place.
EL §11-305	Procedures for filing an administrative complaint.
EL §11-306	Regulations specifying standards for maintaining and securing canvassing records.
EL §11-307	Regulations specifying how a board of canvassers may correct a document or record.
EL §11-308	Regulations specifying how a board of canvassers shall verify the vote count.
EL §11-403	Regulations on voting equipment and documentation security
EL §12-106	Regulations on conducting a recount.
EL §13-207	A form for establishing a campaign finance entity and a form for campaign committee officer resignation.
EL §13-211	A form for appointing a subtreasurer.
EL §13-212	A form for appointing a campaign manager.
EL §13-219	A form for a subtreasurer to submit a campaign finance report to the treasurer.
EL §13-222	A form for campaign contribution receipts
EL §13-240	Regulations implementing the provisions dealing with money received from gaming activity.
EL §13-304 EL §13-320	All forms for campaign finance reporting.
EL §14-104(e)	A form for persons doing business with the State to disclose applicable contributions.
EL §15-104(d)	A form for gubernatorial ticket to certify seed money
EL §15-109	Regulations to administer the Public Finance Act.