

MONTGOMERY COUNTY ELECTION NEEDS – Either by Legislation or SBE Regulation DRAFT 11/19/2023  
(Not necessarily in order of priority)

1. Fix the 7-candidate limit on a page for the Ballot Marking Devices to allow 14 candidates on a page, and on the second page also list the office for which candidates are running.
2. Require voters making online requests for web-delivered Ballots (“print-at-home mail-in ballots”) to affirm their knowledge of the steps involved (e.g., number of pages to print, address the envelope, pay for postage or use drop box, duplication onto ballot form by our staff required) before accepting the application.
  - a. For example, the system should not let you move to the next page until you confirm that you read and understand the requirements – as many websites do.
  - b. If a voter is submitting a request by mail, then the only option may be to ask them to sign an acknowledgement that they read and understand the requirements.
  - c. About 88% of web-delivered ballots in Montgomery County in 2022 were requested online.
3. Send an email reminder to all voters on the permanent mail-in ballot list for web-delivered ballots, reiterating the information above about each step involved in the print-at-home mail-in ballots (e.g., number of pages to print, address the envelope, pay for postage or use drop box, duplication onto ballot form by our staff required), and giving a link to where the voter can change to a U.S. mail delivered ballot.
  - a. This could be done in conjunction with the currently required reminder in §9–311.1(g) of the Election Article to those on the permanent mail-in ballot list, or could be done separately, or both.
  - b. There are currently almost 14,000 voters on the permanent print-at-home mail-in ballot list in Montgomery County.
4. Require the State Board to pull requests for US mail ballots that have been processed by local Boards *every* business day within 45 days of Election Day and transmit them to the vendor *within 1 business day* for mailing to the voter.
  - a. It sometimes took *more than two weeks* in 2022 for voters to receive mail-in ballots they requested online to be delivered by U.S. mail. Many different factors could be responsible (election officials, contractor, or Postal Service), but this attempts to make sure that election officials get the ballots into the mail promptly.
5. Certification deadline should be at least 21 days after Election Day. MoCo has never and can never be done by 10 days after the election, as provided in 11-308(a) of the Election Article, given the volume of ballots.
6. Move the start of the terms of Board of Education members from December 1 to the first Tuesday after the first Monday in December (which would be after the charter’s date for the start of the terms of the County Executive and County Council).
7. Make it a crime to threaten or assault any election worker at election offices, voting locations (including dropboxes), or at canvass meetings.
8. Allow five business days to prepare for a recount, rather than the current requirement that the recount begin within two business days that is provided for in COMAR §33.12.02.09. (Staff had to work until midnight on multiple days to prepare for the recount in 2022.)
9. Allow voters who vote the wrong party ballot in the primary to have their ballots accepted in part, rather than rejected in full, so that their votes for school board races are counted.
  - a. Boards are currently required to reject such ballots in full.

10. Eliminate the rejection of ballots for identifying marks under §16-206(a)(1) of the Election Article, which reads, “(a) A person may not: (1) place any distinguishing mark on the person’s own or another person’s ballot for the purpose of identifying the ballot;”
  - a. This has been interpreted to require Boards to reject ballots where voters sign their name, which usually has been voters explaining errors they made on their ballot. In MoCo, the Board decided to accept such ballots if the voter initials the change, but that is subject to debate under the current statute.
11. Change ballot instructions to specify “Please use black or blue ink.”
  - a. Canvassers spent a lot of time having to use pen to remark ballots filled out in pencil.