MONTGOMERY COUNTY ELECTION ADMINISTRATION IMPROVEMENT PROPOSALS   DRAFT 12-11-2024

LEGISLATION

1. Clarify the postmark provision to specify that the Board must conclude that a postmark was applied at the point of entry into the mail stream to be evidence of untimeliness. § 9-505. Some Montgomery County post offices have added postmarks to ballots when they receive the ballots from other parts of the state or country, which can be confusing for determining timeliness when the originating post office may not have postmarked the ballot.

2. Change the Board's Two Substitute Members to Regular Members - § 2-201(b) – State law eliminated substitute members in every other county but MoCo and PG in 2019. All seven of our Board members are hard-working significant contributors to our work. There is no good reason for the two substitute members to be treated differently than the five "regular" members.

3. Move the June 2026 primary election (currently last Tuesday in June, which is on June 30, 2026) one week earlier to June 23, 2026, so as not to conflict with school renovations over the summer, summer school. This also would make early voting a week earlier (June 11-18 rather than June 18-25) to avoid conflicting with the Juneteenth National Independence Day and MoCo Rec. Dept. summer camps. The earlier date also would make it easier for the Board to recruit election judges and find available facilities. § 8-201(a)(2)(i)

4. Clarify that the state provision requiring parity between the two major political parties for election judges is a matter of best efforts (given the makeup of each county's registered voters) and that we don't need to wait to appoint unaffiliated and young judges. § 10-201(b). This was raised as an issue in Talbot County in 2024. Montgomery County works very hard to recruit Republican election judges (and we increased our efforts in 2024), but achieving "parity" is nearly impossible, given that 14% of MoCo registered voters are Republicans, while 59% are Democrats (and about 25% are unaffiliated).

5. Allow voters who vote the wrong party ballot in the primary to have their ballots accepted in part (rather than rejected in full) so they can vote for Board of Education § 8-802(a)(1)(ii); § 11-303(d)(2)(i). We routinely accept provisional ballots "in part" when voters are eligible to vote in some races but not others (such as if they vote out of precinct in another congressional or legislative district, when their votes in statewide or countywide races are still counted) and this would be consistent with that policy.

6. Eliminate the rejection of ballots for identifying marks/signatures (§ 11-303(d)(2)(iv); § 16-206(a)(1)) – This would eliminate inconsistencies in the law, including the fact that a voter can send a photo of their completed ballot from home, and no one checks for identifying marks for an in-person ballot either at early voting or on Election Day although the law prohibits it.

7. Allow curing of provisional ballots (similar to mail-in ballots) for voters to sign the application or correct/add information. This would be more consistent with the law on curing mail-in ballots.

8. Update the current provision describing the oath required for mail-in ballots to include that it is a separately printed oath not on the envelope for web-delivered print-at-home ballots. § 11-302(d)(3) – This is strictly a technical change.

9. Establish a study on the potential effect of using Election Day Vote Centers rather than precinct polling places on Voter Turnout, Number of Election Judges Needed, Security Issues, Connectivity, etc., including pros and cons, with a report back in roughly a year. This would help lessen the large number of provisional ballots caused by voters who vote out of precinct on Election Day, sometimes by thinking that they can do so like they do in Early Voting.

10. Explain the practical effect on us of MC-9-25, Ranked Choice Voting (RCV), including the need for a drastic increase in outreach advertising budget to educate voters, requiring election judges to explain RCV at the polls – we may need a designated explainer in each polling place and additional training to avoid possible discrepancies in explanations from one polling place to another. Also RCV could lead to longer and more difficult duplication of ballots in canvass and a longer length of the ballot, both of which could result in it taking longer to get results. Also, if the General Assembly and County Council decide to enact RCV, it may cause fewer problems to start it for the first time in a presidential year, with fewer contests and candidates on the ballot, rather than in a gubernatorial election year.

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ADMINISTRATIVE (For Local Action in Black, For State Action in Red)

1. Address postmark issue where PO is adding postmark at receiving post office – Meet with Shady Grove Postmaster ASAP – David to send photos, Boris to look into setting up meeting
2. Rename the Sample Ballot as "Three Ways to Vote in the Upcoming Election, Includes Sample Ballot" or something that makes clearer it's not an actual ballot
3. Consider setting up personalized Email and/or text reminders of polling places, mail-in ballots, sign up for vote alert – text messages to remind you to use your own polling place for Election Day (can cause charges if texts)
4. Find new and efficient way to inform voters in Line at Election Day polling places at or near early voting centers to help voters find their correct polling places.
5. Surge hiring in the month before and after Election Day to handle last-minute voter registration, pre-election Mail-In Canvass, Mailing of Mail-In Ballots after contractor no longer does it, Early Voting and preparation for early voting, and Receiving Voted Ballots.
6. Consider any other efforts to "receive" ballots faster when they're in the building to discourage mail-in ballot voters from going to vote in-person.
7. Consider communication efforts to limit the number of untimely mail-in ballots – encouraging drop boxes, encouraging acting earlier, giving out stats on rejected ballots, video about how postmarks work
8. Require provisional election judges to share documentation with the Chief Judge before they reject for SDR
9. Consider ways to encourage early voting during weekends and other underutilized times

10. Explain more prominently in the instructions for web-delivered print-at-home ballots that the oath is a separate sheet of paper that must be signed
11. Print the oath first before the ballot is printed for those web-delivered print-at-home ballots
12. Make the ballot graphic showing how to fill in the circle a black circle, not graphite gray
13. Add an instruction to the ballot to "Use Black ink"
14. Print "Do not sign this ballot" at the bottom of the ballot.
15. Change the sign on the drop box slot to say "Push Here" instead of "Insert Here"
16. Remove the word "deadline" from the State Election Calendar description of when the local Board certification should be and indicate it's the first possible day to certify election results.
17. Expand the number of days for staff to prepare for a recount from within 2 business days to within 5 business days of receiving the petition (COMAR § 33.12.02.09).
18. Prepare handout to inform some voters that their provisional ballots are unlikely to be accepted, including (a) out-of-state voters who attempt to vote in MD and should vote in their home state (and may still be able to do so if we inform them that they need to do so), and (b) voters who already voted in person and had their ballots scanned but believe they made a mistake (which can't be corrected).