

Announcements & Important Meetings

Fiscal Year 2024 Budget Hearings

On February 14 and 15, the Senate's full Budget and Taxation Committee and the House Appropriations' Public Safety and Administration Subcommittee, respectively, held a hearing on SBE's requested FY24 budget. At both hearings, a representative of the Department of Legislative Services (DLS) presented [DLS' analysis of our FY24 budget request](#) and we provided a [written response](#) with the requested comments and agreed with the analysis' recommendations.

National Association of State Election Directors (NASED) Meeting

The winter NASED meeting was held in Washington, DC from February 16 - 18. Representatives of the federal Cyber Security and Infrastructure Administration, U.S. Department of Justice, and the U.S. Election Assistance Commission shared information, and election officials from around the country shared information about voter outreach and communications strategies, the use of geographic information systems in elections, and how to implement an accessible vote by mail solution. Linda Lamone attended the conference, and Nikki Charlson shared information about Maryland's accessible vote by mail solution.

Senate Education, Energy, and the Environment Committee (EEE) Briefing

During most legislative sessions, we are asked to provide a briefing to the committees with jurisdiction of elections. Our briefing before the Senate EEE Committee will be held on February 22. At this briefing, we will share how elections are administered in Maryland and the implementation status of recent legislative initiatives and highlights from the 2022 General Election. Our presentation will be similar to the briefing we provided last month in the House's Ways and Means Committee.

2022 General Election

Post Election Audits - Manual Audit

The local boards continue to perform the required manual audit of the 2022 General Election. As of this meeting, 23 of the 24 local boards have performed their audit, with Worcester County performing their audit this morning. Prince George's County will conduct the last audit, which will take place February 27. So far, only two local boards have had any discrepancies with their audits, for a total discrepancy of 3 votes between the voting system and the audit. A report on the manual audits will be published on SBE's website within 14 days of the last audit.

Election Reform & Management

Election Judge Recruitment and Training

We rescheduled the second session of a lessons learned meeting related to election judges to March 1 to accommodate the completion of manual audit activities at some local boards. Topics for this second session will include canvassing, pay, and online training.

Election Forms

We continue to work with the University of Baltimore and a workgroup of local board representatives to revise some of our more heavily used election forms into a more user-friendly format. We are also in the final stages of revisions for the new combined same day registration/provisional ballot application. It has been recently submitted to initiate the procurement process.

Mail-In Ballot Voting

Work has already begun on long-lead items related to mail-in voting for the 2024 elections.

Voter Registration

MDVOTERS

MDVOTERS release 9.0 took place on February 10, 2022. The release included enhanced features in the election judge module. It also included enhancements to searching capabilities allowing users to search by email address. Release notes were also distributed to the local boards.

MDVOTERS Audits

Monthly audits of voter registration data continue to verify compliance with federal and State laws governing voter registration. The monthly audits include review of the local boards of elections' processing of Electronic Registration Information Center (ERIC) reports, Department of Health's death records, Administrative Office of the Courts' (AOC) felony records, and the processing of overall voter registration records. Follow up is conducted with the local boards to ensure all corrections are completed and to address any training issues.

Electronic Registration Information Center (ERIC)

Maryland receives ERIC data on a monthly basis. On even-numbered months (February, April, etc.) we receive the In-State Updates, Cross-State, and NCOA (National Change of Address) reports for processing. Odd months we receive In-State Duplicate and Social Security Administration Death files for processing. ERIC will hold their next Board of Directors meeting on February 19, 2023 to provide important updates on ERIC activities. For more information on ERIC, please visit www.ericstates.org.

Motor Vehicle Administration (MVA) Transactions

During January, MVA collected the following voter registration transactions:

New Registration - 13,456	Residential Address Changes - 21,349
Last Name Changes - 3,745	Political Party - 5,672

Current Total Registered Voters

As of January 31, 2023, there were 4,151,556 active voters in Maryland. _

Candidacy and Campaign Finance (CCF) Division

Campaign Finance

The candidacy filings are scheduled by appointment, and as of February 14, two candidates have filed at SBE.

The next scheduled campaign finance is due March 7 for the gubernatorial inaugural committee. Only the governor is required to file an inaugural committee report.

The CCF Division has published the coordinated in-kind contribution limits for the 2026 Election Cycle. A copy is in your folder.

Public Financing

CCF Division is working closely with Baltimore City's legal department and finance department regarding the implementation of the public financing program for the Baltimore City Mayoral and councilmanic elections in 2024. We are drafting a summary guide and reporting schedule. Additionally, in accordance with COMAR 33.13.14.02, the CCF Division reviewed and approved the program for compliance with State laws and regulations.

Website Activity

In January 2023, the MD Campaign Reporting Information System (MD CRIS) website was visited by 460,023 individuals for an average of 14,839 per day. Additionally, it had 2,144,567 hits. Each viewer looked at an

average of approximately 3.8 page views per day. The Business Contribution Disclosure System (BCDS) website had 844,476 hits, with 145,444 visitors with an average of nearly 5.6 page views per day.

Enforcement

Listed below are the recent enforcement actions from January 2022. The information provided is the name of the committee, the amount of civil penalty paid, and the violation. The total amount collected was \$2,650.

1. Stokes, Carl Citizens For; \$1,000, Failure to record contributions & expenditures
2. Khan, Hamza Friends of; \$1,000, Failure to report contributions, expenditures, Anonymous Contribution, Lump Sum Entry
3. Wantz, Bradley Citizens for; \$50, No Bank Account
4. Rowe, Dennis Friends of; \$50.00, No Bank Account
5. Mowery, Joseph Friends of; \$50, No Bank Account
6. Blair, David for Montgomery; \$200, Disbursement by unauthorized method
7. Moore, Kayla for Board of Education; \$50, No Bank Account
8. Lytes, Latrece Hawkins Friends of; \$50, No Bank Account
9. Carroll, Elizabeth Friends of; \$50, No Bank Account
10. Gannon, (Holton) Joe Friends of; \$100, Failure to record expenditures
11. Jones, William H. Citizens for; \$50, No Bank Account

Voting Systems

Post Election Maintenance

The local boards continue to perform post-election maintenance on equipment used during the most recent election. All voting equipment is assessed during this period to ensure functionality, and any equipment requiring maintenance or repair is addressed during this period.

New Voting System - 2026 Elections

SBE continues to progress through the project initiation and planning phases.

Initiation: To date, the request for a Major IT Development Project (MITDP) determination by the Department of Information Technology has been submitted along with the Information Technology Project Request (ITPR).

Planning: The initial draft of the Project Management Plan has been completed and is being reviewed internally. Several other key project documents are under development at this time. Our FY24 budget includes funding to obtain contractual support for this project.

Electronic Pollbook

Software: The ePolltab and Merlin software are scheduled for vendor system integration testing (SIT) beginning February 27 and ending May 12.

Equipment: The tablet manufacturer tentatively plans to ship tablets to SBE's central warehouse on or about March 10. There, SBE teams will execute hardware acceptance tests to ensure tablets arrive in working order. DemTech personnel will arrive in Maryland in the April/May timeframe to conduct software installation, configuration and testing prior to shipping to LBEs for additional statewide testing.

Project Management Office (PMO)

Central Warehouse

The warehouse team continued to work with the Pollbook team on the logistics for the upcoming receipt, quality checks, testing, and other plans for the new pollbooks and related equipment and supplies.

Additional cameras were procured and are scheduled for installation at the Central Warehouse.

The warehouse team is working on two replacement projects for pollbooks printers and network devices being exchanged between the local boards and the Central Warehouse.

Equipment and Supply Inventory

SBE's FY2023 Inventory Audit is in progress with a statewide completion of 42.25%. June 30, 2023 is the last day for completing the inventory audit.

Records Inventory

The PMO continued to work on several tasks related to the agency's Records Inventory Management to ensure that it can fulfill the State's requirements for managing records/documents.

Baltimore City Relocation

The Baltimore City Board of Elections is working with Baltimore City concerning the local board's need to relocate its office and warehouse, preferably this year, to one location.

Legislation

The 2023 Maryland General Assembly session convened on January 11 and will adjourn on April 10. SBE staff continues to work with the Legislature and the Department of Legislative Services to provide relevant election insights and information and are monitoring all proposed legislation. Updated monitored legislation lists will be included with material to the Board.



Donna Duncan -SBE- <donna.duncan@maryland.gov>

MGA Tracking: For Tracking list: Overall list - 02/22/2023 02:00 a.m.

1 message

no-reply@mlis.state.md.us <no-reply@mlis.state.md.us>

Wed, Feb 22, 2023 at 2:00 AM

To: donna.duncan@maryland.gov

Current Status 2023 Regular Session - For Tracking list: Overall list (All Bills) - Created on: 02/22/2023 02:00 a.m.

Number/ Chapter (Cross File) Total: 113	Title	Primary Sponsor	Status	Original House Committee(s) and Hearing Dates	Opposite House Committee(s) and Hearing Dates
HB0022	Election Law - Absentee Ballots - Signature Requirements and Verification	Delegate Long, R.	Hearing 1/31 at 1:00 p.m.	Ways and Means 1/31/2023 - 1:00 p.m.	
HB0035 (SB0567)	Elections - In-Person Voting - Proof of Identity	Delegate Long, R.	Hearing 1/31 at 1:00 p.m.	Ways and Means 1/31/2023 - 1:00 p.m.	
HB0041	Election Law - Curbside Voting - Establishment	Delegate Williams	Hearing 1/31 at 1:00 p.m.	Ways and Means 1/31/2023 - 1:00 p.m.	
HB0054	Sports Wagering Campaign Contributions Parity Act of 2023	Delegate Cardin	Hearing 1/24 at 1:00 p.m.	Ways and Means 1/24/2023 - 1:00 p.m.	
HB0058 (SB0035)	Open Meetings Act – State Ethics Commission (Maryland State Agency Transparency Act of 2023)	Delegate Korman	Hearing 2/15 at 1:00 p.m.	Health and Government Operations 2/15/2023 - 1:00 p.m.	
HB0095	Election Judges - Training and Signs - Accommodations for Voters in Need of Assistance	Delegate Hill	Hearing 1/24 at 1:00 p.m.	Ways and Means 1/24/2023 - 1:00 p.m.	
HB0104 (SB0157)	Municipalities - Charter Amendments - Notice	Delegate Solomon	Hearing 2/07 at 1:00 p.m.	Environment and Transportation 2/7/2023 - 1:00 p.m.	
HB0114 (SB0039)	Ballot Access - Affiliating With a Party - Unaffiliated Voters	Delegate Qi	Hearing 1/24 at 1:00 p.m.	Ways and Means 1/24/2023 - 1:00 p.m.	
HB0124 (SB0131)	Mandated Reports - Revisions	Speaker	Hearing 2/15 at 1:00 p.m.	Health and Government Operations 2/15/2023 - 1:00 p.m.	
HB0130	Election Law - Foreign Manufacture of Election	Delegate Rosenberg	First Reading Education, Energy, and the Environment	Ways and Means	Education, Energy, and the Environment

	Systems - Notification and Termination of Contract			1/31/2023 - 1:00 p.m.
HB0176	Local Public Campaign Financing - Expansion to Additional Offices	Delegate Feldmark	Hearing 1/31 at 1:00 p.m.	Ways and Means 1/31/2023 - 1:00 p.m.
HB0177 (SB0089)	Elections - Ballot Questions - Publication of Proposed Laws	Delegate Feldmark	Hearing 1/31 at 1:00 p.m.	Ways and Means 1/31/2023 - 1:00 p.m.
HB0192 (SB0269)	Cryptocurrency - Campaign Finance Prohibitions - Disclosures by Financial Institutions	Delegate Palakovich Carr	Hearing 1/31 at 1:00 p.m.	Ways and Means 1/31/2023 - 1:00 p.m.
HB0213	Election Law - Local Public Campaign Financing - Boards of Education	Delegate Watson	Hearing 2/07 at 1:00 p.m.	Ways and Means 2/7/2023 - 1:00 p.m.
HB0269	Municipal Elections - Voter Eligibility - Prohibitions	Delegate Moon	Hearing 2/07 at 1:00 p.m.	Ways and Means 2/7/2023 - 1:00 p.m.
HB0334	Voting Systems - Ranked Choice Voting and Inclusion of City of Takoma Park Municipal Elections on the State Ballot MC 7-23	Montgomery County Delegation	Hearing 2/07 at 1:00 p.m.	Ways and Means 2/7/2023 - 1:00 p.m.
HB0344	Montgomery County – Voting Methods MC 03–23	Montgomery County Delegation	Hearing 2/07 at 1:00 p.m.	Ways and Means 2/7/2023 - 1:00 p.m.
HB0348	Baltimore County - School Board Nominating Commission - Vacancy Procedures	Delegate Forbes	Hearing 2/15 at 1:00 p.m.	Ways and Means 2/15/2023 - 1:00 p.m.
HB0380 (SB0218)	Arbitration Reform for State Employees Act of 2023	Delegate Korman	Hearing 2/07 at 1:00 p.m.	Appropriations 2/7/2023 - 1:00 p.m.
HB0393 (SB0536)	State Government - Forms - Veterans' Benefits	Delegate Rogers	Hearing canceled	Health and Government Operations Ways and Means
HB0410	Election Reform Act of 2023	Delegate Rosenberg	Hearing 2/14 at 1:00 p.m.	Ways and Means 2/14/2023 - 1:00 p.m.
HB0417	General Assembly - Special Election to Fill a Vacancy in Office	Delegate Foley	Hearing 2/14 at 1:00 p.m.	Ways and Means 2/14/2023 - 1:00 p.m.
HB0441 (SB0111)	Election Law - Campaign Finance - Draft Committees and Exploratory Committees	Delegate Jones, D.	Hearing 2/14 at 1:00 p.m.	Ways and Means 2/14/2023 - 1:00 p.m.
HB0447	Local Elections - County Commissioner - District Voting	Delegate Crosby	Hearing 2/14 at 1:00 p.m.	Ways and Means 2/14/2023 - 1:00 p.m.
HB0468	County Boards of Education - Voter Registration Link - Posting Requirement	Delegate Fair	Unfavorable Report by Ways and Means; Withdrawn	Ways and Means

HB0509 (SB0287)	State Board of Elections - Municipal Elections - Publication of Results on Website	Delegate Tomlinson	Hearing 2/14 at 1:00 p.m.	Ways and Means 2/14/2023 - 1:00 p.m.
HB0535 (SB0379)	Election Law - Ballots - Processing and Reporting Procedures	Delegate Feldmark	Hearing 2/14 at 1:00 p.m.	Ways and Means 2/14/2023 - 1:00 p.m.
HB0536 (SB0221)	Court Officials – Public Disclosure of Personal Information	Delegate Clippinger	Hearing 2/15 at 1:00 p.m.	Judiciary 2/15/2023 - 1:00 p.m.
HB0542 (SB0605)	Election Law - Citizens Who Live Overseas - Right to Vote	Delegate Fair	Hearing 2/14 at 1:00 p.m.	Ways and Means 2/14/2023 - 1:00 p.m.
HB0555 (SB0342)	Baltimore County - Circuit Court Judgeships	Speaker	Hearing 2/15 at 1:00 p.m.	Judiciary 2/15/2023 - 1:00 p.m.
HB0563 (SB0366)	General Assembly Vacancy - Political Party Central Committees - Procedures	Delegate Palakovich Carr	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0572	Election Law - Postelection Tabulation Audits - Risk- Limiting Audits	Delegate Kaiser	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0580	Election Law – Polling Sites – Firearms Prohibitions	Delegate Henson	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0594	Election Law – Ascertainment of Results – Process	Delegate Fair	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0597	St. Mary's County - County Commissioners Election Method - Straw Ballot	St. Mary's County Delegation	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0616	Election Law – Early Voting – Number of Days	Delegate Barnes, D.	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0636	Public Information Act - Inspection of E-Mail Addresses and Telephone Numbers	Delegate Guzzone	Hearing 3/01 at 1:00 p.m.	Health and Government Operations 3/1/2023 - 1:00 p.m.
HB0642 (SB0339)	Election Law – Recounts – Procedures	Delegate Grossman	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0643 (SB0176)	Election Law - Insufficient Number of Candidates for a Primary Election	Delegate Grossman	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0645 (SB0488)	Election Law - Electronic Ballot Return System - Study and Request for Proposals	Delegate Feldmark	Hearing 2/28 at 1:00 p.m.	Ways and Means 2/28/2023 - 1:00 p.m.
HB0688	Municipal Incorporation - County Commissioners or	Delegate Johnson, S.	Hearing 2/24 at 1:00 p.m.	Environment and

	County Council - Required Approval of Referendum Request			Transportation 2/24/2023 - 1:00 p.m.
HB0705 (SB0798)	Declaration of Rights - Right to Reproductive Freedom	Delegate Jones, A.	Hearing 2/21 at 1:00 p.m.	Health and Government Operations 2/21/2023 - 1:00 p.m.
HB0730	Constitutional Amendment - Alteration of Rate of Taxation - Legislation by General Assembly Required	Delegate Fisher	Hearing 2/23 at 1:00 p.m.	Ways and Means 2/23/2023 - 1:00 p.m.
HB0742	Election Law – Party and Elected Public Offices – Prohibition	Delegate Boyce	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0752 (SB0860)	State Board of Elections - Procurement Oversight	Delegate Vogel	Hearing 2/21 at 1:00 p.m.	Ways and Means 2/21/2023 - 1:00 p.m.
HB0871 (SB0932)	Declaration of Rights - Religious Freedom, Religious Tests, and Oaths and Affirmations	Delegate Hill	Hearing 3/08 at 1:00 p.m.	Health and Government Operations 3/8/2023 - 1:00 p.m.
HB0879 (SB0733)	Carroll County - County Commissioner Districts - Alterations	Delegate Rose	First Reading House Rules and Executive Nominations	Rules and Executive Nominations
HB0894	Election Law – Voting Systems – Sourced, Manufactured, and Assembled in the United States	Delegate Chisholm	Hearing canceled	Ways and Means
HB0899 (SB0863)	State Administrator of Elections - Removal From Office	Delegate Jones, D.	Hearing 2/28 at 1:00 p.m.	Ways and Means 2/28/2023 - 1:00 p.m.
HB0926	Election Law - Polling Places - Establishing Voter Identity (Voter Privacy Act of 2023)	Delegate Long, R.	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB0943	Election Law – Voter Registration List – Absentee Voters (Absentee Ballot Transparency Act of 2023)	Delegate Long, R.	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB0951	Election Law – Election Officials and Workers – Prohibitions Against Interference and Disclosure of Personal Information	Delegate Jones, D.	Hearing 2/28 at 1:00 p.m.	Ways and Means 2/28/2023 - 1:00 p.m.
HB0979	Municipal Elections – Candidates – Reports of Donations and Disbursements	Delegate Terrasa	Hearing 2/28 at 1:00 p.m.	Ways and Means 2/28/2023 - 1:00 p.m.
HB1010 (SB0753)	Public Information Act – Personnel Records of Elected Officials and Joint Ethics Committee Records	Delegate Valentine	First Reading House Rules and Executive Nominations	Rules and Executive Nominations
HB1024	Elections in Villages of Columbia - Voting Rights Ho. Co. 17-23	Howard County Delegation	Hearing 3/07 at 1:00 p.m.	Environment and Transportation

				3/7/2023 - 1:00 p.m. Health and Government Operations 3/8/2023 - 1:00 p.m.
HB1065	State and Local Cybersecurity (SB0868) - Revisions	Delegate Kaiser	Hearing 3/08 at 1:00 p.m.	
HB1075	Maryland Department of Emergency Management - Office of Domestic Terrorism Response	Delegate Rosenberg	Hearing 3/09 at 1:00 p.m.	Appropriations 3/9/2023 - 1:00 p.m.
HB1079	Prince George's County - Board of Education and School System Revisions and Local Public Campaign Financing for Board of Education Members PG 502-23	Prince George's County Delegation	Hearing 3/01 at 1:00 p.m.	Ways and Means 3/1/2023 - 1:00 p.m.
HB1080	Transportation Investment Program - County Referendum - Authorization	Delegate Mangione	Hearing 3/07 at 1:00 p.m. (Appropriations) and Hearing canceled (Environment and Transportation)	Appropriations 3/7/2023 - 1:00 p.m. Environment and Transportation
HB1092	Election Law – Early Voting – Number of Days	Delegate Metzgar	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB1093	Howard County - Board of Education - Terms and Public Campaign Financing Ho. Co. 14-23	Howard County Delegation	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB1104	Voting Rights Act of 2023 - (SB0878) Counties and Municipalities	Delegate Smith	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB1112	Election Law - Registered Voter List and Petitions (Ballot Petition Modernization Act)	Delegate Ruth	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB1120	Election Law - Candidate Truthfulness - Oath	Delegate McComas	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB1132	State Government - Technology and Science Advisory Commission - Established	Delegate Hill	Hearing 3/16 at 1:00 p.m.	Appropriations 3/16/2023 - 1:00 p.m.
HB1136	State Government - Office of Program Evaluation and Government Accountability - Review of State Workforce Development Programs	Delegate Atterbeary	Hearing 3/07 at 1:00 p.m.	Economic Matters 3/7/2023 - 1:00 p.m.
HB1167	Calvert County - Civic Education - Standards and Curriculum (Social Studies Literacy Act)	Delegate Fisher	Hearing 3/08 at 1:00 p.m.	Ways and Means 3/8/2023 - 1:00 p.m.
HB1168	Calvert County - Public High Schools - Class Rank System (Calvert County Merit Restoration Act)	Delegate Fisher	Hearing 3/08 at 1:00 p.m.	Ways and Means 3/8/2023 - 1:00 p.m.

HB1183	Calvert County - County Treasurer - Removal From Office	Calvert County Delegation	Hearing 3/10 at 1:00 p.m.	Environment and Transportation 3/10/2023 - 1:00 p.m.
HB1189 (SB0801)	Economic Development - Cybersecurity - Cyber Maryland Program	Delegate Forbes	Hearing 3/08 at 1:00 p.m. (Health and Government Operations)	Health and Government Operations 3/8/2023 - 1:00 p.m.
HB1200 (SB0925)	Elections - Election Judges - Minimum Compensation	Delegate Jones, D.	Hearing 2/28 at 1:00 p.m.	Economic Matters Ways and Means 2/28/2023 - 1:00 p.m.
HB1212	Election Law - Voter Registration List - Right to Opt Out of the Sale of Personally Identifiable Information	Delegate Arentz	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB1216 (SB0750)	Election Law – Voting – Proof of Identity	Delegate Miller	Hearing 3/07 at 1:00 p.m.	Ways and Means 3/7/2023 - 1:00 p.m.
HB1255	Courts – Justices and Judges – Selection and Retention	Delegate Cardin	First Reading House Rules and Executive Nominations	Rules and Executive Nominations
HB1264	Election Law - Polling Places at Continuing Care Retirement Communities	Delegate Mangione	First Reading House Rules and Executive Nominations	Rules and Executive Nominations
HB1265	Baltimore County – Board of Education – Membership	Delegate Mangione	First Reading House Rules and Executive Nominations	Rules and Executive Nominations
SB0035 (HB0058)	Open Meetings Act - State Ethics Commission (Maryland State Agency Transparency Act of 2023)	Senator Kagan	Second Reading Passed with Amendments	Education, Energy, and the Environment 1/26/2023 - 3:00 p.m.
SB0039 (HB0114)	Ballot Access - Affiliating With a Party - Unaffiliated Voters	Senator Kagan	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0067	Clerks of the Circuit Courts - Civil Commissions - Presentation and Reporting	Senator Beidle	Hearing 2/16 at 1:00 p.m.	Judicial Proceedings 2/16/2023 - 1:00 p.m.
SB0089 (HB0177)	Elections - Ballot Questions - Publication of Proposed Laws	Senator Carter	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0111 (HB0441)	Election Law - Campaign Finance - Draft Committees and Exploratory Committees	Senator Kagan	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0131 (HB0124)	Mandated Reports - Revisions	President	Hearing 2/07 at 2:00 p.m.	Education, Energy, and the Environment

SB0132	State's Attorney, Clerk of the Circuit Court, Register of Wills, Sheriff, and Judge of the Orphans' Court - Nonpartisan Elections	Senator Jackson	Hearing canceled (Education, Energy, and the Environment)	2/7/2023 - 2:00 p.m. Education, Energy, and the Environment Judicial Proceedings
SB0157 (HB0104)	Municipalities - Charter Amendments - Notice	Senator Waldstreicher	Hearing 2/07 at 2:00 p.m.	Education, Energy, and the Environment 2/7/2023 - 2:00 p.m.
SB0176 (HB0643)	Election Law - Insufficient Number of Candidates for a Primary Election	Senator Kagan	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0218 (HB0380)	Arbitration Reform for State Employees Act of 2023	Senator McCray	Hearing 2/01 at 2:00 p.m. (Budget and Taxation)	Budget and Taxation 2/1/2023 - 2:00 p.m. Finance
SB0221 (HB0536)	Court Officials - Public Disclosure of Personal Information	Senator Smith	Hearing 2/09 at 1:00 p.m.	Judicial Proceedings 2/9/2023 - 1:00 p.m.
SB0267	Internet Gaming - Authorization and Implementation	Senator Watson	Hearing 2/15 at 1:00 p.m.	Budget and Taxation 2/15/2023 - 1:00 p.m.
SB0269 (HB0192)	Cryptocurrency - Campaign Finance Prohibitions - Disclosures by Financial Institutions	Senator Rosapepe	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0287 (HB0509)	State Board of Elections - Municipal Elections - Publication of Results on Website	Senator Gallion	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0329	Election Law - Casting General Election Ballot in Multiple States - Prohibition	Senator Ready	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0339 (HB0642)	Election Law - Recounts - Procedures	Senator Kagan	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0342 (HB0555)	Baltimore County - Circuit Court Judgeships	President	Favorable Report by Judicial Proceedings	Judicial Proceedings 2/16/2023 - 1:00 p.m.
SB0366 (HB0563)	General Assembly Vacancy - Political Party Central Committees - Procedures	Senator Lam	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0379 (HB0535)	Election Law - Ballots - Processing and Reporting	Senator Kagan	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the

Procedures				
				Environment 2/16/2023 - 1:00 p.m.
SB0488 (HB0645)	Election Law - Electronic Ballot Return System - Study and Request for Proposals	Senator Brooks	Hearing 2/24 at 1:00 p.m.	Education, Energy, and the Environment 2/24/2023 - 1:00 p.m.
SB0536 (HB0393)	State Government - Forms - Veterans' Benefits	Senator Ellis	Hearing 2/28 at 1:00 p.m.	Education, Energy, and the Environment 2/28/2023 - 1:00 p.m.
SB0567 (HB0035)	Elections - In-Person Voting - Proof of Identity	Senator Ready	Hearing 3/14 at 1:00 p.m.	Education, Energy, and the Environment 3/14/2023 - 1:00 p.m.
SB0605 (HB0542)	Election Law - Citizens Who Live Overseas - Right to Vote	Senator Lewis Young	Hearing 3/14 at 1:00 p.m.	Education, Energy, and the Environment 3/14/2023 - 1:00 p.m.
SB0733 (HB0879)	Carroll County - County Commissioner Districts - Alterations	Carroll County Senators	Hearing 2/28 at 1:00 p.m.	Education, Energy, and the Environment 2/28/2023 - 1:00 p.m.
SB0750 (HB1216)	Election Law - Voting - Proof of Identity	Senator Folden	Hearing 3/14 at 1:00 p.m.	Education, Energy, and the Environment 3/14/2023 - 1:00 p.m.
SB0753 (HB1010)	Public Information Act - Personnel Records of Elected Officials and Joint Ethics Committee Records	Senator Folden	Hearing 3/07 at 1:00 p.m.	Education, Energy, and the Environment 3/7/2023 - 1:00 p.m.
SB0785 (HB1075)	Maryland Department of Emergency Management - Office of Domestic Terrorism Response	Senator Hettleman	Hearing 3/01 at 1:00 p.m.	Judicial Proceedings 3/1/2023 - 1:00 p.m.
SB0798 (HB0705)	Declaration of Rights - Right to Reproductive Freedom	Senator Ferguson	Hearing 3/01 at 1:00 p.m.	Finance 3/1/2023 - 1:00 p.m.
SB0801 (HB1189)	Economic Development - Cybersecurity - Cyber Maryland Program	Senator Hester	Hearing 3/07 at 1:00 p.m.	Finance 3/7/2023 - 1:00 p.m.
SB0860 (HB0752)	State Board of Elections - Procurement Oversight	Senator Kagan	Hearing 3/03 at 2:00 p.m.	Education, Energy, and the Environment 3/3/2023 - 2:00 p.m.
SB0863 (HB0899)	State Administrator of Elections - Removal From Office	Senator Kagan	Hearing 2/16 at 1:00 p.m.	Education, Energy, and the Environment 2/16/2023 - 1:00 p.m.
SB0864	Election Reform Act of 2023	Senator Kagan	Hearing 2/24 at 1:00 p.m.	Education, Energy, and the Environment

2/24/2023 - 1:00
p.m.[Education,
Energy, and the
Environment](#)
3/7/2023 - 1:00
p.m.

SB0868 (HB1065)	State and Local Cybersecurity - Revisions	Senator Hester	Hearing 3/07 at 1:00 p.m.	
SB0878 (HB1104)	Voting Rights Act of 2023 - Counties and Municipalities	Senator Sydnor	First Reading Senate Rules	Rules
SB0888	Election Law - Automatic Voter Registration - Alterations	Senator Washington, M.	First Reading Senate Rules	Rules
SB0925 (HB1200)	Elections - Election Judges - Minimum Compensation	Senator Washington, A.	First Reading Senate Rules	Rules
SB0932 (HB0871)	Declaration of Rights - Religious Freedom, Religious Tests, and Oaths and Affirmations	Senator Muse	First Reading Senate Rules	Rules

ASSISTANT ATTORNEY GENERAL'S REPORT

February 23, 2023

1. *In re Petition for Emergency Remedy by the Maryland State Board of Elections*, C-15-CV-22-003258 (Cir. Ct. for Montgomery County). On September 2, 2022, SBE filed a petition in the Circuit Court for Montgomery County pursuant to § 8-103(b) of the Election Law Article seeking an emergency remedy for the anticipated amount of incoming mail-in ballots for the 2022 Gubernatorial General Election. The petition sought a court order permitting mail-in ballots to be canvassed and tabulated beginning October 1, 2022 at 8:00 a.m. On September 14, 2022, Delegate Daniel Cox, current Republican nominee for the 2022 gubernatorial election, moved to intervene and oppose the petition. The Court held a contested hearing on September 20, 2022. Three days later, the Court issued a written opinion and order granting SBE's motion and permitting the early canvass.

On September 27, 2022, Delegate Cox appealed the ruling to Appellate Court of Maryland and moved that court to stay the circuit court's judgment. SBE opposed the stay. The next day, September 28, 2022, SBE petitioned the Supreme Court of Maryland to issue a writ of certiorari to bypass review in the Appellate Court of Maryland, hear the matter, and decide it on an expedited basis. The Appellate Court of Maryland denied Delegate Cox's request for a stay of the circuit court's order on September 29, 2022. The Supreme Court of Maryland then granted SBE's petition on September 30, 2022.

After oral argument on the morning of October 7, 2022, the Supreme Court issued an order affirming the judgment of the Montgomery County Circuit Court in all aspects.

On January 6, 2023, Delegate Cox filed a petition for a writ of certiorari in the Supreme Court of the United States. On January 12, 2023, SBE filed a waiver of the right of response to the petition. After reviewing the petition at the Court's February 17, 2023, conference, the Supreme Court denied Delegate Cox's petition for certiorari.

2. *Gibson, et al. v. Frederick County*, 1:22-CV-01642-GLR (D. Md.) On July 5, 2022, Lois Ann Gibson and plaintiff-organizations filed suit against Maryland entities seeking injunctive relief. The complaint alleges that 22 jurisdictions in Maryland engaged in a RICO conspiracy with a Chicago non-profit organization to fund election fraud. The suit seeks a preliminary injunction enjoining the destruction of records of the 2020 Presidential Election. Under federal law, the records of the 2020 election were to be retained until September 3, 2022.

Before any defendants were served, the federal court denied plaintiffs' request for an *ex parte* temporary restraining order to preserve the election records.

Plaintiffs thereafter served SBE process on August 27, 2022. On September 19, 2022, SBE filed a motion to dismiss the complaint for failure to state a claim. Nearly every county-defendant named in the case has filed a similar motion.

On December 16, 2022, the district court granted the motions to dismiss as to all defendants and closed the case.

On January 13, 2023, plaintiffs filed a motion to amend or alter the judgment of dismissal under Federal Rule 59(e). SBE filed a response on January 26, 2023, to which every county defendant joined in support. The 59(e) motion remains pending before the district court.

3. *Johnson v. Hogan*, 8:22-CV-02250-TDC (D. Md.) On September 7, 2022, Thomas P. Johnson filed a complaint challenging the constitutionality of Election Law § 5-706. Mr. Johnson ran during the 2022 Gubernatorial Primary for a seat on the circuit court bench in Montgomery County. He lost that race. Mr. Johnson then sought to file a certificate of candidacy as a write-in candidate for that same office for the general election but was informed by SBE staff that he was ineligible to run pursuant to Election Law § 5-607(b)(2). The law prohibits anyone who has lost a primary election from running in the following general election as a write-in candidate.

The complaint alleges that § 5-706 unconstitutionally prevents Mr. Johnson from campaigning as a write-in candidate. It seeks injunctive relief allowing Mr. Johnson to file a certificate of candidacy as a write-in candidate.

The Office of the Attorney General filed a motion opposing injunctive relief on behalf of Governor Hogan, the sole named defendant, on September 21, 2022. Mr. Johnson filed a response to the OAG opposition on September 23, 2022. The court conducted a hearing on the matter on October 4, 2022. Thereafter, on October 13, 2022, the federal district court issued an order denying Mr. Johnson injunctive relief.

OAG will be filing a motion to dismiss the case outright in the coming weeks. Per local rules, counsel has filed a letter of intent to file a motion to dismiss with the federal court.

4. *Appeal of 22nd Century Technologies, Inc.*, Docket No. MSCBA 3230 (Md. State Board of Contract Appeals). During the spring and summer of 2022, SBE solicited requests for proposals for a surge staff support contract for the 2024 election cycle (with

options for 2026 and 2028). An RFP was submitted by the incumbent contractor, 22nd Century Technologies, Inc; however, 22nd Century was not recommended for the award. 22nd Century protested the recommendation on November 28, 2022. SBE replied with its final agency decision on December 27, 2022. 22nd Century thereafter appealed SBE's final agency decision on January 6, 2023, to the Maryland State Board of Contract Appeals.

On February 6, 2023, SBE filed its full agency report refuting the 22nd Century Appeal. Before the deadline for a response to the report 22nd Century moved to voluntarily withdraw the appeal, ending the matter.