

# Title 33 STATE BOARD OF ELECTIONS

## Subtitle 01 DEFINITIONS; GENERAL PROVISIONS

### 33.01.05 Administrative Complaint Procedure

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 3-602, and 11-305, Annotated Code of Maryland; 42 U.S.C. §15512(a)

#### Notice of Proposed Action [23-165-P]

The State Board of Elections proposes to amend Regulation .06 under COMAR 33.01.05 Administrative Complaint Procedure. This action was considered by the State Board of Elections at its June 20, 2023, meeting.

#### Statement of Purpose

The purpose of this action is to allow a hearing to be conducted either in person or virtually and allows the complainant to request - for good cause - another date, time, or method for the hearing.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

This action would make it easier for individuals to participate in a hearing requested under the administrative complaint process.

#### Opportunity for Public Comment

Comments may be sent to Nikki Charlson, Deputy Administrator, State Board of Elections, P.O. Box 6486, Annapolis, MD 21401-0486, or call 410-269-2840, or email to DL\_regcomments\_SBE@maryland.gov. Comments will be accepted through September 25, 2023. A public hearing has not been scheduled.

### .06 Complaint — Consolidation, Record, Hearing, and Determination.

A.—B. (text unchanged)

C. Hearing.

(1)—(3) (text unchanged)

(4) [The State Board shall give at least 5 business days advance notice of the date, time, and place of the hearing] *At least 5 business days before a hearing, the State Board shall provide notice of the date, time, place, and method (in-person or virtual) of the hearing. For good cause, a complainant may request an alternative date, time, or method for the hearing. The requisite notice shall be:*

(a) [By] Sent by mail to the complainant, each named respondent, and any other interested person who has asked in writing to be advised of the hearing;

(b) [On] Posted on the State Board website; and

(c) [By posting] Posted in a prominent place, available to the general public, at the offices of the State Board.

(5)—(20) (text unchanged)

D. (text unchanged)

LINDA H. LAMONE  
State Administrator of Elections

#### Notice of Proposed Action [23-166-P]

The State Board of Elections proposes to amend:

(1) Regulation .01 under COMAR 33.16.02 Provisional Voting Documents and Supplies; and

(2) Regulation .02 under COMAR 33.21.03 Issuance and Return. This action was considered by the State Board of Elections at its May 5, 2023, meeting.

#### Statement of Purpose

The purpose of this action is to repeal an obsolete reference and clarify that, if a special election is conducted by mail, the same day registration and address change process will be available to voters during the early voting period for the special election.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Nikki Charlson, Deputy Administrator, State Board of Elections, P.O. Box 6486 Annapolis MD 21401-0486, or call 410.269.2840, or email to dl\_regcomments\_SBE@maryland.gov. Comments will be accepted through September 25, 2023. A public hearing has not been scheduled.

## Subtitle 16 PROVISIONAL VOTING

### 33.16.02 Provisional Voting Documents and Supplies

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 3-305(e), 3-306, 9-402, 9-403, 9-404, 9-406, and 11-303(c) and (e), Annotated Code of Maryland

#### .01 Provisional Ballot Application.

A. Provisional Ballot Application. Except as required in [Regulations] Regulation .02 [and .03] of this chapter, the provisional ballot application shall include:

(1)—(5) (text unchanged)

B.—C. (text unchanged)

## Subtitle 21 SPECIAL ELECTIONS BY MAIL

### 33.21.03 Issuance and Return

Authority: Election Law Article, §§2-102, 9-501, 9-502, and 9-504—9-506, Annotated Code of Maryland; [42 U.S.C. §1973ff-1] 52 U.S.C. § 20302

#### .02 Envelopes.

A.—C. (text unchanged)

D. Postage Paid. [The] *If a vote-by-mail ballot is sent by mail, the return envelope shall include prepaid postage.*

E. (text unchanged)

LINDA H. LAMONE  
State Administrator of Elections