

registered to vote on the day of an election, OR if he is unable to be physically present at the polls as a result of illness or accident occurring after the time of making application for an absentee ballot, or IF HE is unable to be present because of a death or serious illness in his immediate family occurring after the time for making application. The application shall be made under penalty of perjury but without formal oath, setting forth the reason why the voter is unable to be present at the polls on the day of the election. Upon receipt of the application, the board, if satisfied that the person cannot, in fact, be present at the polling place on the day of the election, shall issue to the applicant, or his duly authorized agent, an absentee ballot which shall be marked by the voter, placed in a sealed envelope, and returned to the board. If the applicant does not apply in person, the application shall designate a voter registered in the same county or Baltimore City as agent for the purpose of delivering the absentee ballot to the voter, and the agent shall execute an affidavit under penalty of perjury that the ballot was delivered to the voter who submitted the application, was marked by the voter in the agent's presence, was placed in a sealed envelope in the agent's presence, and returned, under seal, to the board by the agent. Any emergency absentee ballot received by the board after the time for closing of the polls [shall] MAY not be counted.

27-4.

(a) A qualified voter desiring to vote at any election as an absentee voter shall make application in writing to the board for an absentee ballot, which application must be received not later than [seven (7) days before] THE TUESDAY PRECEDING the election. The application shall contain an affidavit, which need not be under oath but which shall set forth the following information under penalty of perjury:

(1) The voter's name and residence address, including the street and number, if any, or rural route, if any;

(2) That the person is a qualified voter at the residence address given;

(3) If the person voted at the preceding election, the residence address from which he voted; and

(4) That the voter expects in good faith to be unable to vote in person for any of the reasons set out in § 27-1 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved March 16, 1976.

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