

(d) (1) The State Board shall adopt regulations that reflect the policy that the clarity of the intent of the voter is the overriding consideration in determining the validity of an absentee ballot or the vote cast in a particular contest.

(2) A local board may not reject an absentee ballot except by unanimous vote and in accordance with regulations of the State Board.

(3) The local board shall reject an absentee ballot if:

(i) Before the ballot is canvassed, the local board determines that the voter died before election day;

(ii) The voter failed to sign the oath on the ballot envelope;

(iii) The local board received more than one ballot from the same individual for the same election in the same ballot envelope; or

(iv) The local board determines that an absentee ballot is intentionally marked with an identifying mark that is clearly evident and placed on the ballot for the purpose of identifying the ballot.

(4) IF THE LOCAL BOARD RECEIVES MORE THAN ONE LEGALLY SUFFICIENT BALLOT, IN SEPARATE ENVELOPES, FROM THE SAME INDIVIDUAL, THE LOCAL BOARD SHALL:

(I) COUNT ONLY THE BALLOT WITH THE LATEST PROPERLY SIGNED OATH; AND

(II) REJECT ANY OTHER BALLOT.

(5) IF THE INTENT OF THE VOTER IS NOT CLEARLY DEMONSTRATED, THE LOCAL BOARD SHALL REJECT ONLY THE VOTE FOR THAT OFFICE OR QUESTION.

(6) IF AN ABSENTEE VOTER CASTS A VOTE FOR AN INDIVIDUAL WHO HAS CEASED TO BE A CANDIDATE, THE VOTE FOR THAT CANDIDATE MAY NOT BE COUNTED, BUT THAT VOTE DOES NOT INVALIDATE THE REMAINDER OF THE BALLOT.

REVISOR'S NOTE: This section formerly was Art. 33, §§ 11-302 and 11-303(d)(4), (5), and (6).

The only other changes are in style.

Defined terms: "Absentee ballot" § 1-101

"Election" § 1-101

"Local board" § 1-101

"State Board" § 1-101

[11-302.1.] 11-303.

(a) Following an election, each local board shall meet at its designated counting center to canvass the provisional ballots cast in that election in accordance with the regulations and guidelines established by the State Board.