

providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the confirmation ~~and~~ of the status of provisional ballots.

BY repealing and reenacting, with amendments,

Article 33 – Election Code

Section 11-302.1

Annotated Code of Maryland

(1997 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 11-303

Annotated Code of Maryland

(As enacted by Chapter 291 (S.B. 1) of the Acts of the General Assembly of 2002)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 33 – Election Code

11-302.1.

(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.

(b) A local board may not open any envelope of a provisional ballot prior to 8 a.m. on the Wednesday following election day.

(c) (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 a provisional ballot or the vote cast in a particular contest.

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

(3) The local board shall reject a provisional ballot if:

(i) The local board determines that the temporary certificate of registration that corresponds to the provisional ballot is not valid;

(ii) The local election board determines that the individual is not a registered voter;

(iii) The individual failed to sign the oath on the temporary certificate of registration;

(iv) The individual failed to sign the oath on the provisional ballot envelope;