

(2) AN ABSENTEE BALLOT THAT IS RECEIVED AFTER THE DEADLINE SPECIFIED BY THE REGULATIONS AND GUIDELINES MAY NOT BE COUNTED.

(D) REJECTION OF ABSENTEE BALLOTS.

(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.

11-303. REJECTED ABSENTEE BALLOT; APPEAL.

(A) RIGHT OF APPEAL.

A CANDIDATE OR ABSENTEE VOTER AGGRIEVED BY THE DECISION OF A LOCAL BOARD TO REJECT, OR NOT TO REJECT, AN ABSENTEE BALLOT SHALL HAVE THE RIGHT OF APPEAL TO THE CIRCUIT COURT FOR THE COUNTY.

(B) TIME OF FILING.

THE APPEAL MUST BE FILED WITHIN 5 DAYS FROM THE DATE OF THE COMPLETION OF THE OFFICIAL CANVASS BY THE BOARD OF ALL THE VOTES CAST AT THE ELECTION.

(C) PROCEDURES.

THE APPEAL SHALL BE HEARD DE NOVO, WITHOUT A JURY, AS SOON AS POSSIBLE.

(D) APPEAL TO COURT OF SPECIAL APPEALS.

(1) THE DECISION OF THE CIRCUIT COURT MAY BE APPEALED TO THE COURT OF SPECIAL APPEALS, PROVIDED THE APPEAL IS TAKEN WITHIN 48 HOURS FROM THE ENTRY OF THE DECISION OF THE CIRCUIT COURT.