

Ordinance No. 802-21

An Ordinance Amending Bel Air Town Code

Chapter 37 Elections

Section § 37-1 Definitions and Word Usage

Section § 37-18 Absentee Voting

WHEREAS, the Board of Town Commissioners desire to ensure that every vote be counted, including absentee ballots, otherwise known as mail-in ballots; and

WHEREAS, to allow enough time for absentee ballots, otherwise known as mail-in ballots, to be delivered and counted, the Board of Town Commissioners desire to amend Chapter 37 Elections of the Bel Air Town Code regarding when an absentee ballot, otherwise known as a mail-in ballot, may be counted; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Town Commissioners that the Town of Bel Air Town Code, Chapter 37 Elections, shall be amended by Ordinance No. 802-21, as follows:

§ 37-1 Definitions and word usage.

ABSENTEE BALLOT/MAIL-IN BALLOT

A ballot not used in a polling place that is completed and mailed, in advance of an election day by a voter.

§ 37-18 Absentee voting/**mail-in voting**

- A. Absentee voting/**mail-in voting** shall be permitted in accordance with the provisions of Title 9, Subtitle 3, of the Election Law, Annotated Code of Maryland, or with such other laws of the State of Maryland which may supersede Title 9, Subtitle 3, in the future. ~~Absentee ballots must be received and date stamped prior to the closing of the polls. If an absentee vote is received after the closing of the polls, it shall remain sealed in the envelope and filed with the Town Clerk for a minimum period of one year after the election date.~~

B. Timeliness. An absentee ballot/mail-in ballot is considered timely and may be counted if the ballot:

a. is returned, in person, to the designated polling place, or the Harford County Board of Elections, by the voter, or the voter's duly authorized agent, before the polls close, on the day of the election; or

b. is received, by mail, by the Town of Bel Air, or the Harford County Board of Elections, no later than 10 a.m. on the second Friday after an election; and

i. was mailed on or before election day, as verified:

1. by a postmark; or

2. if the return envelope does not contain a postmark or the postmark is illegible, by the voter's affidavit that the ballot was mailed on or before election day.

C. Untimely. An absentee ballot/mail-in ballot that does not meet the requirements of subsection (B) of this section is not timely and may not be counted.

BE IT FURTHER ORDAINED that this Ordinance shall become effective on the twenty-first (21st) day after passage unless petitioned to referendum.

INTRODUCTION: April 19, 2021

PUBLIC HEARING: May 3, 2021

ENACTMENT:

EFFECTIVE:

AYES:

NAYS:

ABSENT:

Amy G. Chmielewski, Chair
Board of Town Commissioners

Michael Krantz, Town Clerk