

Ordinance No. 21-19

Ordinance: To amend Chapter 8 of the Rockville City Code entitled "Elections," by amending Sections 8-44 and 8-101 to revise the provisions on voter assistance, to establish provisions regulating ballot collecting, and to revise the prohibited practices related to mail-in and absentee ballots.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, that Chapter 8 of the Rockville City Code entitled "Elections" is amended by revising Sections 8-44 and 8-101 as follows:

CHAPTER 8. ELECTIONS

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Section 8-44. Voter Assistance

(a) Mail-in and absentee ballot voting.

(1) A registered voter who requires assistance to vote because of disability, inability to read, or inability to write, may authorize another person to mark the mail-in or absentee ballot and, if necessary, sign his or her name on the back of the return envelope. Any person assisting a registered voter to vote in this manner must (i) mark the ballot as directed by the registered voter and (ii) fill out and submit a signed Certification of Person Assisting Mail-in Ballot Voter with the registered voter's mail-in or absentee ballot in accordance with the provisions provided with the mail-in or absentee ballot.

(2) (i) A candidate, treasurer, campaign committee chair or treasurer, or any person at the direction of a candidate, treasurer, or campaign committee chair or treasurer may not receive or collect a mail-in or absentee ballot from a registered voter.

(ii) An individual that is permitted to receive or collect a registered voter's mail-in or absentee ballot must:

(1) accept only a ballot that is within a sealed envelope;

(2) deliver the ballot in a manner that will get the ballot to the City Clerk prior to the closing of the election polls on election day; and

(3) not accept payment in any form for the collection and/or delivery of the ballot.

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Sec. 8-101. - Prohibited practices.

The following persons shall be guilty of prohibited practices and shall be punished in accordance with the provisions of this section-chapter:

(9) *Offenses relating to voting by mail-in ballot and absentee ballot.*

(a) Any person who knowingly commits, or aids or abets in committing, fraud in connection with any mail-in or absentee ballot vote cast, to be cast, or attempted to be cast.

(b) Except as permitted by Section 8-44(a)(1), any person who marks another's voted or unvoted ballot.

(c) Any person who tampers with or opens a sealed envelope that contains a mail-in or absentee ballot. This subsection does not apply to an election official.

(d) Any person who fails to comply with or violates Section 8-44(a)(2).

NOTE: ~~Strikethrough~~ indicates material deleted
Underlining indicates material added

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of September 9, 2019.


Sara Taylor Ferrell, City Clerk/Director of Council Operations