

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, AMENDING**  
**CHAPTER 34, "ELECTIONS", ARTICLE I, "GENERAL PROVISIONS" §34-3,**  
**"DEFINITIONS"; ARTICLE II, §34-6, "ABSENTEE BALLOTING"; AND ARTICLE**  
**III, "FAIR ELECTION PRACTICES", §34-11, "APPOINTMENT OF TREASURER BY**  
**CANDIDATES AND POLITICAL COMMITTEES"; TO REDEFINE BALLOT AND**  
**ELECTRONIC SIGNATURE AND TO DEFINE MAIL-IN BALLOT, REFLECT**  
**MARYLAND LAW WITH RESPECT TO MAIL-IN BALLOTS AND ABSENTEE**  
**BALLOTS, ACCEPT CERTAIN SIGNATURES ELECTRONICALLY, SET A TIME**  
**BY WHICH APPLICATIONS FOR MAIL-IN BALLOTS MUST BE MADE, MAKE**  
**PROVISION THAT QUALIFIED VOTERS WHO HAVE OPTED TO RECEIVE A**  
**MAIL-IN BALLOT FOR FEDERAL OR STATE OF MARYLAND ELECTIONS WILL**  
**AUTOMATICALLY RECEIVE A MAIL-IN BALLOT FOR CITY ELECTIONS**  
**WITHOUT THE NECESSITY OF FILING AN APPLICATION AND CLARIFY WHO**  
**CAN BE APPOINTED AS A TREASURER FOR AN POLITICAL CANDIDATE.**

**WHEREAS**, pursuant to the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the "City") has the power to provide for elections for municipal purposes; and

**WHEREAS**, the City has adopted Chapter 34, "Elections", to regulate municipal elections; and

**WHEREAS**, the Mayor and Council have recently adopted amendments to the Charter upon the recommendation of the Supervisors of Elections; and

**WHEREAS**, the said Charter amendments require conforming amendments to Chapter 34, "Elections" and other amendments to better enable mail-in voting, reflect State law and clarify certain provisions; and

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CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
CAPS	: Indicate matter added in amendment
[Brackets]	: Indicate matter deleted in amendment

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to adopt the foregoing amendments to Chapter 34 required by the Charter amendments, and to make other clarifying changes, to better enable mail-in voting and reflect State law.

**Section 1.** **NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the City of College Park, Maryland that Chapter 34 “Elections”, Article I “General Provisions” §34-3, “Definitions” be and it is hereby repealed, re-enacted and amended to read as follows:

**§ 34-3 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated below:

\* \* \* \* \*

**BALLOT**

The means by which a vote is cast. "Ballot" or "ballots" include paper ballots, absentee/MAIL-IN ballots or ballots cast by way of an electronic voting machine or system, BY MAIL, OR BY AUTHORIZED BALLOT DROP BOX, whichever in context is appropriate.

**BALLOT – MAIL-IN**

A BALLOT THAT MAY BE RECEIVED BY MAIL, AND VOTED BY MAIL OR AUTHORIZED BALLOT DROP BOX.

\* \* \* \* \*

**ELECTRONIC SIGNATURE**

The requirement for a CANDIDATE signature on a form REQUIRED BY THIS CHAPTER, which is authorized to be electronically filed may be satisfied by inserting the printed name of the person whose signature or affidavit is required.

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**Section 2. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 34 “Elections”, Article II “Conduct of Elections” §34-6, “Absentee balloting” be and it is hereby repealed, re-enacted and amended to read as follows:

§ 34-6 ~~Absentee~~~~[balloting]~~ /MAIL-IN VOTING.

A. Applicability of state law. The procedures and provisions of §§ 9-301, 9-302, 9-303, excluding § 9-303(c), 9-306, excluding § 9-306(b)(2) and (3), 9-307, 9-308, 9-309, 9-310 and 11-302 of the Elections Article of the Annotated Code of Maryland, as amended, are hereby incorporated, with the exception that those terms referring to "Baltimore City" or "county" or "state" or an agency, board or department thereof shall be construed to refer to the City of College Park or its counterpart agency, board or department, as the case may be. MAIL-IN VOTING IS REFERRED TO AS ABSENTEE VOTING IN THE MARYLAND CONSTITUTION, THE ANNOTATED CODE OF MARYLAND, AND THE CODE OF MARYLAND REGULATIONS.

B. Qualifications for absentee/MAIL-IN voting. Any qualified voter registered to vote in the elections of the City of College Park is entitled to vote by absentee/ MAIL-IN ballot.

C. Applications for [~~absentee~~]MAIL-IN ballots.

(1) Application. An application for a[~~n~~] [~~absentee~~] MAIL-IN ballot signed by the voter may be made:

(a) On a form produced by the Supervisors of Elections and supplied to the voter on request; or

(b) On a form provided under federal law; or

(c) In a written request that includes:

[1] The voter's name and residence address, AND EMAIL ADDRESS IF APPLICABLE;

[2] The voter's date of birth;

[3] The address to which the ballot is to be mailed, if different from the residence address; [~~and~~]

[4] Telephone number;

[5] Maryland driver's license or ID card number.

[6] Last four digits of social security number.

[7] Date on which the voter moved to the current address.

(D) A PDF OR FACSIMILE OF THE SIGNED BALLOT APPLICATION MAY BE SUBMITTED ELECTRONICALLY.

(2) Deadline for receipt of application. [~~Except for a late application under Subsection C(3) of this section,~~]AN application for [~~an absentee~~] A MAIL-IN ballot must be received by the Supervisors of Elections [~~not later than 12 calendar~~] AT LEAST 10 BUSINESS days preceding the election, at the time specified by the Supervisors of Elections.

(3) [~~Late a~~] Application FOR ABSENTEE NON-MAIL BALLOT.

(a) Beginning [~~11 calendar~~] 10 BUSINESS days preceding the election, through the [~~closing of the polls on~~] LAST BUSINESS DAY BEFORE Election Day, a registered voter or the voter's duly authorized agent may apply in person for an absentee ballot at the City Clerk's office.

(b) A special application for an absentee ballot issued under this subsection shall be supplied by the Supervisors of Elections or the City Clerk to the voter or the voter's duly authorized agent.

(c) After review of the application, if the Supervisors of Elections find that the voter qualifies for absentee voting, the City Clerk shall issue an absentee ballot to the voter or the voter's duly authorized agent. THE BALLOT CAN BE VOTED AT THE CITY CLERK'S OFFICE OR IN AN AUTHORIZED BALLOT DROP BOX.

4. QUALIFIED VOTERS WHO HAVE OPTED TO RECEIVE A MAIL-IN BALLOT FOR FEDERAL OR STATE OF MARYLAND ELECTIONS WILL AUTOMATICALLY RECEIVE A MAIL-IN BALLOT FOR CITY ELECTIONS WITHOUT THE NECESSITY OF FILING AN APPLICATION.

**Section 5. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 34 "Elections", Article III "Fair Election Practices" § 34-11, "Appointment of treasurer by candidate and political committees" be and it is hereby repealed, re-enacted and amended to read as follows:

**§ 34-11 Appointment of treasurer by candidate and political committees.**

A. Each candidate, upon or before and as a condition precedent to qualifying as candidate, shall appoint one campaign treasurer and shall file the name and address of the campaign treasurer with the City Clerk on a form prescribed by the Supervisors of Elections. Such form shall be signed by the treasurer so appointed. The Supervisors shall not certify any petition of candidacy unless the name and signature of the treasurer have been filed [~~with it~~] as provided in this subsection.

~~[(1)]~~A candidate may not serve as [~~his~~] THEIR own campaign treasurer, except [~~as provided in Subsection A(2) of this section.~~

~~[(2)]~~A] WHEN THE candidate [~~who~~] has not received and does not intend to SOLICIT OR accept CAMPAIGN contributions [~~in furtherance of such candidate's election~~] from anyone other than the candidate or the candidate's spouse. [~~may serve as treasurer in the candidate's THEIR own campaign.~~]

B. – C. \* \* \* \* \*

**Section 6. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

The public hearing, hereby set for \_\_\_\_\_ P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard.

After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. This Ordinance shall become effective on \_\_\_\_\_, 2023 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent

of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

**CITY OF COLLEGE PARK**

By: \_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

By: \_\_\_\_\_  
Denise C. Mitchell, Mayor Pro Tem

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

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Suellen M. Ferguson, City Attorney