MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 718

H.P. 457

House of Representatives, February 25, 2025

An Act to Require Municipal Clerks to Issue Absentee Ballots Only to Residents of That Municipality and to Eliminate Ongoing Absentee Voter Status

Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative ADAMS of Lebanon.

Be it enacted by the People of the State of Maine as follows:

- **Sec. 1. 21-A MRSA §753-A, sub-§3,** as amended by PL 2021, c. 273, §13, is further amended to read:
- **3. Request in writing.** A voter may complete an application or make a written request for the voter's own ballot by mail, in person or by facsimile. The voter may designate an immediate family member or a 3rd person, if that immediate family member or 3rd person is registered to vote in that municipality, to deliver the ballot on the voter's behalf. An immediate family member of a voter may also make an application or written request for an absentee ballot for the voter.
 - A. An application or a written request for an absentee ballot must be accepted by the clerk if it contains the following information:
 - (1) The voter's name and date of birth;
 - (2) The voter's residence address or other address sufficient to identify the voter;
 - (3) The signature of the voter or the voter's immediate family member who is making the application or written request. If an immediate family member is either making the application or written request or is designated in the application or written request to deliver or return the ballot to the voter, then the family relationship to the voter must also be provided; and
 - (4) If applicable, a different address to which the applicant requests the ballot be sent or delivered.
 - B. If the voter needs assistance pursuant to subsection 5, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:
 - (1) The printed name and signature of the person who helped the voter; and
 - (2) A statement that the aide helped the voter by either reading or signing the application, or both.
 - C. If the voter wishes to have the ballot delivered or returned by a 3rd person who is registered to vote in that municipality, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:
 - (1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated only in an application or written request that is signed by the voter.
- **Sec. 2. 21-A MRSA §753-A, sub-§8,** as amended by PL 2023, c. 304, Pt. A, §24 and affected by §§37 and 39 and amended by c. 404, §1 and affected by §2, is repealed.
- **Sec. 3. 21-A MRSA §753-A, sub-§9,** as enacted by PL 2021, c. 398, Pt. UUUU, §4 and affected by PL 2023, c. 304, Pt. A, §37, is repealed.
- **Sec. 4. 21-A MRSA §753-B, sub-§1,** as amended by PL 2021, c. 398, Pt. UUUU, §5 and affected by PL 2023, c. 304, Pt. A, §37, is further amended to read:

- 1. Issuance of absentee ballots. Upon receipt of an application or written request for 1 2 an absentee ballot from a person registered to vote in that municipality that is accepted 3 pursuant to section 753-A, and after the official ballots become available, the clerk shall 4 immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written 5 6 application or request made by the voter, except as provided in subsection 2. Upon receipt 7 of the official ballots, the clerk shall immediately issue an absentee ballot and return 8 envelope by mail to any voter who has qualified for ongoing absentee voter status under 9 section 753-A, subsection 7. The clerk shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope. The clerk may not 10 11 make any mark visible on the outside of the return envelope for use in a general election that indicates the political party of the voter to whom an absentee ballot is issued. 12 13 Sec. 5. 21-A MRSA §753-B, sub-§2, ¶D, as amended by PL 2023, c. 128, §1, is 14 further amended by amending subparagraph (4) to read: 15 (4) An incapacity or illness that has resulted in the voter's being unable to leave home or a treatment facility or has resulted in the voter's caregiver's being unable 16
 - to attend the polls during the entire time the polls are open on election day; or
 - Sec. 6. 21-A MRSA §753-B, sub-§2, ¶E, as enacted by PL 2021, c. 273, §19, is amended to read:
 - E. To any candidate, except for the candidate's own ballot.; or
 - Sec. 7. 21-A MRSA §753-B, sub-§2, ¶F is enacted to read:
- 22 F. To any voter, immediate family member or 3rd person who is not registered to vote 23 in that municipality.

24 **SUMMARY**

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This bill requires a municipal clerk to issue an absentee ballot only to a person who is registered to vote in that municipality, including the voter and an immediate family member or a 3rd person designated by the voter to deliver the ballot on the voter's behalf. It also repeals the provisions allowing for application for ongoing absentee voter status.