

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1690

S.P. 677

In Senate, April 18, 2023

An Act Regarding Ongoing Absentee Voting and Tracking of Absentee Ballots

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DAUGHTRY of Cumberland.
Cosponsored by Speaker TALBOT ROSS of Portland and
Senators: HICKMAN of Kennebec, VITELLI of Sagadahoc, Representatives: RIELLY of
Westbrook, SUPICA of Bangor.

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

2 **Sec. 1. 21-A MRSA §753-A, sub-§8**, as enacted by PL 2021, c. 398, Pt. UUUU,
3 §3 and affected by §7, is amended to read:

4 **8. Application for ongoing absentee voter status.** ~~A Any voter who will be at least~~
5 ~~65 years of age by the next election or who self-identifies as having a disability~~ may apply
6 for status as an ongoing absentee voter. Each qualified applicant must automatically
7 receive an absentee ballot for each ensuing statewide election, municipal election and any
8 other election for which the voter is entitled to vote and need not submit a separate request
9 for each election.

10 A. An application for status as an ongoing absentee voter must be made by a voter
11 using procedures designed by the Secretary of State. ~~These procedures must include a~~
12 ~~process for notifying the voter that if the voter moves out of the municipality, that~~
13 ~~voter's status as an ongoing absentee voter in that municipality terminates.~~ A voter
14 may apply for status as an ongoing absentee voter in the same manner as a voter
15 requesting an absentee ballot under this section or at any time the voter is able to
16 register to vote or update the voter's voter registration under chapter 3. A voter may
17 obtain assistance in completing an application for ongoing absentee voter status
18 pursuant to subsection 5.

19 B. The clerk or Secretary of State shall terminate a voter's ongoing absentee voter
20 status only upon:

- 21 (1) The written request of the voter;
- 22 (2) The death or disqualification of the voter;
- 23 (3) The cancellation of the voter's registration record in the central voter
24 registration system; or
- 25 (4) The return of an absentee ballot as undeliverable; ~~;~~
- 26 (5) ~~The failure of the voter to vote by absentee ballot for a general election; or~~
- 27 (6) ~~The designation of the voter's status as inactive in the central voter registration~~
28 ~~system.~~

29 This subsection does not apply to uniformed service voters or overseas voters who are
30 covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 United
31 States Code, Section 20302 (2019).

32 **Sec. 2. 21-A MRSA §765**, as enacted by PL 2021, c. 273, §28, is repealed and the
33 following enacted in its place:

34 **§765. Absentee ballot tracking and notification system**

35 **1. Absentee ballot tracking.** The Secretary of State shall establish and maintain an
36 online service that allows a voter who requests an absentee ballot to track the status of the
37 absentee ballot process, including by use of a telephone hotline.

38 **2. Automatic notification system.** The Secretary of State shall automatically notify
39 a voter who provides contact information pursuant to section 753-A, subsection 9 of the
40 status of the voter's ballot when:

- 41 A. The ballot is mailed to the voter;

- 1 B. The clerk has received the ballot;
2 C. The ballot has been accepted by the clerk;
3 D. The clerk determines there is a defect with the ballot under section 756-A;
4 E. The voter has not returned the ballot within a certain amount of time as determined
5 by the Secretary of State; or
6 F. The ballot is cast.

7 **3. Voter access to ballot status information.** A voter may check the status of the
8 voter's ballot:

- 9 A. Through the Secretary of State's publicly accessible website under section 152,
10 subsection 6;
11 B. By calling the appropriate clerk by telephone; or
12 C. Using the telephone hotline established by the Secretary of State pursuant to
13 subsection 1.

14 **Sec. 3. Effective date.** This Act takes effect July 1, 2025.

SUMMARY

16 This bill amends the provisions of law regarding ongoing absentee voter status,
17 clarifies provisions regarding the tracking of absentee ballots and implements provisions
18 regarding notification of ballot status for absentee voters and access of absentee voters to
19 ballot tracking information.