

New Election Laws – Effective October 18, 2021

Section of Title 21-A	Official Affected/Subject Area	Type of Change	2021 Public Law Chapter	Description of the Change
§ 760-B	Clerk/Absentee Voting -Early Processing	Amendment	11	Allows municipal clerk to process absentee ballots beginning on the 7 th day prior to Election Day. Notice of intent to process absentee ballots prior to election day filing deadline changed to 30 days prior to Election Day. (NOTE: This law only effective on June 29, 2021 – passed in First Regular Session.)
§ 112-A(3-A)	Registrar/Voter Registration	New	246	Adds student photograph ID issued by a state-approved public or private school located or licensed to operate in this State to the list of acceptable documents that voter can use to prove identification.
§ 605-A(3)	Clerk/Absentee Voting	New	246	SOS required to provide instructions describing the reasons that a voter may request an absentee ballot after the Special Circumstances deadline (i.e. close of business on Thursday prior to election day). Municipality shall post sign and include instructions on website, social media pages or any other media used to communicate election information.
§ 626-A	Clerk/Voting Place Report	Amendment	246	Adds information that must be included on the voting place report filed with the SOS: location of each secured absentee ballot drop box and times that in-person absentee voting will be offered at the clerk’s office during the 30 days prior to the election.
§ 759(6)	Clerk/Counting of Absentee Ballots	Amendment	246	Clarifies that absentee ballots may not be counted or examined for voter intent and that election results may not be obtained or released until after polls are closed on election day and all ballots have been processed.
§1(27-C)	Clerk/Ranked Choice Voting	Amendment	273	Clarifies which elections must be determined by ranked-choice voting.
§153-3(A)	Registrar/Petitions	Amendment	273	Provides that a voter with an alternative registration signature statement on file with the municipal registrar may authorize any other Maine-registered voter to sign a citizen's initiative or people's veto petition for the voter using the same procedure authorized for candidate petitions
§§ 441-442	Registrar/ Presidential Primary Petitions	Amendment	273	<ul style="list-style-type: none"> • Changes the date (from Nov. 1st to Oct. 1st) by which a qualified party must notify the Secretary of State of: • whether there is a contest for nomination as the party's presidential candidate; • whether unenrolled voters will be eligible to vote in the party's presidential primary. <p style="text-align: right;"><i>(continued on next page)</i></p>

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				<ul style="list-style-type: none"> The Secretary of State must make petitions available for the presidential primary candidates by Oct. 1st and sets November 20th as the deadline for candidates to file petitions with the municipal registrar and December 1st as the deadline to file with the Secretary of State.
§ 503-A(1)	Clerk/Election Clerk Qualifications	Amendment	273	Provides that a person who is 16 years of age and who is conditionally registered to vote is qualified to serve as an election clerk.
§ 752-B	Clerks/Secured Absentee Ballot Drop Boxes	New	273	Establishes requirements for secure drop boxes for the return of absentee ballots. NOTE: The Elections Division will be providing updated guidance to the municipalities on drop boxes after the 11/21 election.
§753-A(3)	Clerk/Absentee Ballot Application	Amendment	273	Clarifies what information must be included in an absentee ballot application submitted by electronic means: Voter’s name, voter’s date of birth, voter’s residence address or address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be delivered.
§ 753-A(7)	Clerk/Absentee Voting	New	273	Provides that a voter requesting an absentee ballot must be asked to provide that voter’s telephone number and e-mail address, if available. Voter’s telephone number and email address are confidential and may be used <u>only</u> by municipal officials to contact the voter.
§ 753-B(1)	Clerk/Absentee Voting	Amendment	273	Clarifies that the clerk, upon receipt of an accepted application, must immediately issue an absentee ballot and return envelope to the voter as soon as official ballots become available.
§ 753-B(2)	Clerk/Absentee Voting	New	273	Adds an explicit restriction on issuing an absentee ballot to a candidate unless it is the candidate’s own ballot. NOTE: 21-A, §791, it is a Class C crime for a candidate to handle any ballot other than their own ballot.
§ 753-B(8)	Clerk/Absentee Voting	Amendment	273	Provides that when a voter requests to vote an absentee ballot in the clerk’s presence, the clerk must verify it is the voter by confirming the voter’s residence address and year of birth.
§ 753-B(6), § 756(2), § 756-A	Clerk/Absentee Ballot Cure Procedure	New	273	Provides a procedure for the clerk to follow to assist voters in curing defects in their absentee ballot envelopes that would otherwise cause the ballot to be challenged or rejected – See Memo “Guidance for Curing Rejected Absentee Ballots for the November 2, 2021 Referendum Election”.

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§ 765	Clerk/Absentee Ballot Tracking	New	273	Provides that the Secretary of State shall establish and maintain an online service that allows voters to track the status of their absentee ballot – the SOS established such a process in 2020.
Multiple sections	Registrar/Online Voter Registration	New	439	Provides that Maine will allow online voter registration beginning November 1, 2023. The Secretary of State will adopt rules and procedures necessary to provide this registration option to Maine voters. Further information and training will be provided to municipal officials once implementation begins.
§ 196-A	Registrar/Obtaining Data from CVR	Amendment	310	This law makes several changes regarding who is eligible to receive data from CVR. A person or group may obtain the statewide voter file (from the Secretary of State) for use in evaluating the State’s compliance with the voter list maintenance obligations in NVRA. The law also provides that any person or group obtaining the data from CVR may not sell, transfer or use the data for another purpose other than the purpose for which the data was originally obtained. It also prevents releasing data that will identify a specific voter or used to engage in discrimination of any type. Finally, it sets civil penalties for any violations of the data use restrictions. A new data request form and instructions will be distributed after the 11/21 election.
§ 161(2-B)	Registrar/Voter List Maintenance	New	398	Authorizes the Secretary of State to join the Electronic Registration Information Center (ERIC) for periodic sharing of voter registration data to be used to update the CVR.
§ 753-A(8)	Clerk/Ongoing Absentee Voter Status	New	398	Beginning on November 1, 2023, a voter who is at least 65 or who self-identifies as having a disability may apply for status as an ongoing absentee voter allowing the voter to automatically receive an absentee ballot for each election without submitting a separate request for each election. More information will be provided to municipal officials before this law becomes effective.