The State of Maryland

Executive Department

ORDER

OF THE

GOVERNOR OF THE STATE OF MARYLAND

NO. 20-03-30-03

ENABLING MUNICIPALITIES TO POSTPONE ELECTIONS

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 17, 2020, to control and prevent the spread of COVID-19 within Maryland, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed in nearly all Maryland counties;

WHEREAS, To reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend social distancing and avoiding gatherings;

WHEREAS, The currently known and available scientific evidence and best practices support limitations on gatherings and social distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, Many municipal governments in the state have also declared states of emergency, imposed social-distancing measures, and taken other actions to reduce the spread of COVID-19;

WHEREAS, To reduce the threat to human health caused by transmission of the novel coronavirus in Maryland, and to protect and save lives, it is necessary and reasonable that individuals in the state refrain from congregating;

WHEREAS, Many municipal elections would ordinarily be conducted at polling locations that, during the state of emergency and catastrophic health emergency, hinder social distancing, enable the transmission of the novel coronavirus, and pose risks to public health, welfare, and safety;

WHEREAS, Holding municipal elections at polling locations during the state of emergency and catastrophic health emergency would potentially expose government buildings, voters, and municipal officers, employees, and volunteers to the novel coronavirus;

WHEREAS, Municipal elections must be accessible, secure, and safe; and

WHEREAS, COVID-19, the state of emergency and the catastrophic health emergency, and the State's emergency actions in response may impair the ability of municipal officials, employees, and volunteers to hold elections on the dates required by their charters or ordinances;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

I. A municipality may suspend the effect of a provision of Title 4, Subtitle 3, of the Local Government Article of the Maryland Code if:

A. The municipality:

i. provides notice to the Governor; and

ii. finds that such suspension:

1. will not endanger the public health, welfare, or safety; and

2. is necessary to amend:

a. the date on which a municipal election will be held; or

b. the method, conduct, or voting system of an election in a manner that ensures an accurate vote count and certification of the election results; and

B. The provision regards:

i. Public hearings to be held on proposed amendments to the municipal charter; or

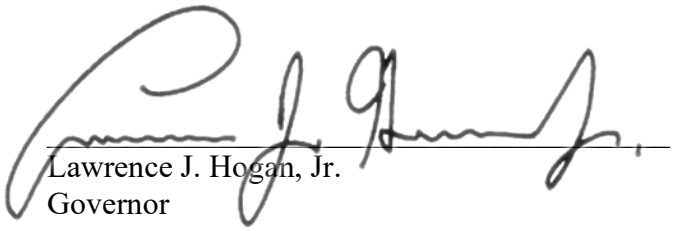
ii. The date the amendments shall take effect as part of the municipal charter after the resolutions are adopted.

II. This Order remains effective until the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded, or until

rescinded, superseded, amended, or revised by additional orders.

III. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this order is hereby suspended.

ISSUED UNDER MY HAND THIS 30TH DAY OF MARCH, 2020, AND EFFECTIVE IMMEDIATELY.



Lawrence J. Hogan, Jr.
Governor