

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

House Bill 592
Ways and Means

(Delegate Kaiser, *et al.*)

Education, Health, and Environmental Affairs

Election Law - Reporting of Precinct Results

This bill requires that election results provided by local boards of elections, acting in their capacity as boards of canvassers, and the State Board of Elections (SBE) must report results by precinct for each candidate or question voted on at the election, including all votes cast by voters registered in each precinct who voted early on direct recording electronic (DRE) voting machines.

The bill takes effect June 1, 2013.

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$100,000 in FY 2014 for costs associated with managing precinct-specific ballots in early voting DREs in order to report results from those machines by precinct. Ongoing costs in the range of \$40,000 will be incurred in FY 2015. Assuming a new optical scan voting system is implemented for the 2016 elections, there should be no impact beyond FY 2015.

Local Effect: Local government expenditures increase by approximately \$60,000 in FY 2014 for the counties' share of costs associated with managing precinct-specific ballots in early voting DREs. Additional personnel costs may be incurred in some counties. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: Unless otherwise provided by the Maryland Constitution, each board of canvassers must prepare a statement of election results by precinct for each candidate or question voted on at an election and declare:

- who is elected or nominated for office (1) in county government or (2) for any other office voted for only within that county, if the certificate of candidacy for that office was issued by the local board of elections; and
- whether or not a question is adopted or approved.

The statement, however, may not report the absentee vote separately by precinct. Each local board of elections must publish a sufficient number of copies of the complete election results, tabulated by precinct, and make the copies available to the public at cost.

“Board of canvassers” means the local board of elections in a county after the local board organizes itself for the purpose of canvassing the vote after an election in that county.

SBE must also make available in an electronic format a report of election results for each candidate or question voted on at an election (1) by precinct; (2) by State legislative district, including any subdistrict; (3) by county legislative district; and (4) for each county as a whole. SBE may make the report available to the public at cost.

State Fiscal Effect: General fund expenditures increase by approximately \$100,000 in fiscal 2014, accounting for (1) a one-time cost for programming of SBE’s election management system; (2) a one-time purchase of additional higher capacity memory cards for early voting DREs; (3) additional pre-early voting ballot programming costs; and (4) additional costs for pre-early voting logic and accuracy testing of precinct-specific ballots on DRE machines (only accounting for testing in counties that utilize services contracted for, and partially paid for, by the State). SBE indicates that in order to tabulate votes cast during early voting on DRE voting machines by precinct, the machines will need to contain precinct-specific ballots for each precinct in the county, increasing pre-early voting ballot programming and logic and accuracy testing costs and requiring higher capacity memory cards for DRE machines in some jurisdictions and programming of SBE’s election management system. SBE shares voting system costs with the counties pursuant to Chapter 564 of 2001 (HB 1457) and, with the exception of the one-time cost for programming of SBE’s election management system, the remaining costs are assumed to be shared with the counties.

Ongoing ballot programming and logic and accuracy testing costs in the range of \$40,000 will be incurred in fiscal 2015, for the 2014 general election. If a new optical scan voting

system is implemented for the 2016 elections, as is currently expected, and the DREs are then no longer used for early voting, the bill will have no further impact.

Local Fiscal Effect: Local government expenditures increase by approximately \$60,000 in fiscal 2014, accounting for the counties' share of those costs mentioned above as being shared with the State. Additional increased expenditures may be incurred by jurisdictions that hire personnel independently to conduct logic and accuracy testing of voting machines. Local boards of elections may also experience administrative challenges when printing results reports both before opening an early voting center (to verify there are no votes on the machines) and when canvassing results on election day. Having to print out precinct-by-precinct results for all precincts in a county, from each early voting DRE machine, will considerably increase the amount of time spent on, and paper records generated from, those tasks.

Ongoing ballot programming and logic and accuracy testing costs in the range of \$40,000 will be incurred in fiscal 2015, for the 2014 general election, as well as any additional costs incurred by jurisdictions that hire personnel independently to conduct logic and accuracy testing. If a new optical scan voting system is implemented for the 2016 elections and the DREs are then no longer used for early voting, the bill will have no further impact.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Anne Arundel, Baltimore, Cecil, and Carroll counties; Department of Legislative Services

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