

Department of Legislative Services
 Maryland General Assembly
 2013 Session

FISCAL AND POLICY NOTE

House Bill 1207
 Ways and Means

(Delegate Gutierrez, *et al.*)

Election Law - Early Voting Centers

This bill alters provisions that determine the number of early voting centers in a county, considerably increasing the number of centers in counties with 450,000 or more registered voters.

The bill takes effect July 1, 2013.

Fiscal Summary

State Effect: General fund expenditures increase by \$114,100 in FY 2014 due to costs for additional early voting centers for the 2014 gubernatorial primary election. Future years reflect ongoing costs for additional early voting centers as well as additional voting equipment and associated operations and maintenance costs, assuming a new voting system is implemented for the 2016 elections.

(in dollars)	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	114,100	17,900	350,800	350,600	350,300
Net Effect	(\$114,100)	(\$17,900)	(\$350,800)	(\$350,600)	(\$350,300)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Local government expenditures increase by at least \$1.1 million in FY 2014 for additional early voting centers. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary/Current Law: The bill alters provisions that determine the number of early voting centers in a county as shown in **Exhibit 1**.

Exhibit 1 Early Voting Centers

Current Law		Under the Bill	
<u>Registered Voters in County</u>	<u>Early Voting Centers</u>	<u>Registered Voters in County</u>	<u>Early Voting Centers</u>
< 150,000	1	< 125,000	1
150,000-300,000	3	125,000-300,000	3
> 300,000	5	300,000-450,000	5
		> 450,000	8, plus an additional number of centers determined by dividing the number of registered voters by 100,000 and rounding to the next higher whole number

Background: See the attached **Appendix – Early and Absentee Voting** for general background information on early voting. **Exhibit 2** shows, based on voter registration as of December 2012, the number of early voting centers in each jurisdiction under current law and under the bill.

Exhibit 2
Early Voting Centers under Current Law and under the Bill

Jurisdiction	Registered Voters (December 2012)	Early Voting Centers under Current Law	Early Voting Centers Proposed
Montgomery	626,976	5	15
Prince George's	578,254	5	14
Baltimore	523,978	5	14
Baltimore City	398,227	5	5
Anne Arundel	356,429	5	5
Howard	194,137	3	3
Harford	162,705	3	3
Frederick	148,565	1	3
Carroll	112,835	1	1
Charles	100,346	1	1
Washington	88,978	1	1
St. Mary's	65,021	1	1
Cecil	63,239	1	1
Calvert	59,650	1	1
Wicomico	57,578	1	1
Allegany	42,358	1	1
Worcester	36,825	1	1
Queen Anne's	33,008	1	1
Talbot	25,878	1	1
Dorchester	20,582	1	1
Garrett	19,080	1	1
Caroline	18,515	1	1
Somerset	13,694	1	1
Kent	12,704	1	1
Total	3,759,562	48	78

State Fiscal Effect: General fund expenditures increase by approximately \$114,090 in fiscal 2014, as shown in **Exhibit 3**. This estimate accounts for the State's portion of voting equipment delivery and network service costs and one-time equipment costs for an additional 30 early voting centers required to be established by the bill for the 2014 gubernatorial primary and future elections.

The estimate assumes that Frederick County would only have one early voting center for the 2014 elections in the absence of the bill. However, if Frederick County's voter

registration surpasses 150,000 and the county would have three early voting centers for the 2014 elections under current law, the cost increases would be somewhat reduced.

A significant portion of the State costs associated with this bill will be incurred from fiscal 2016 forward, assuming a new optical scan voting system is implemented for the 2016 elections. Based on certain assumptions about equipment costs for the new system, general fund expenditures may increase by approximately \$350,845 in fiscal 2016, accounting for the cost of additional optical scan machines and ballot-on-demand printers for the 30 additional early voting centers (financed over a five-year lease purchase term), software and maintenance costs for the optical scan machines, and ongoing voting equipment delivery and network service costs for the 30 additional centers. Ballot-on-demand printers are needed to be able to provide various ballot styles at an early voting center for voters throughout a county. The voting system-related expenditure increases represent the State's share of the voting system costs. Pursuant to Chapter 564 of 2001 (HB 1457), the State Board of Elections (SBE) shares voting system costs with the local boards of elections.

Exhibit 3
Impact on State Expenditures

	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
General early voting cost increases	\$114,090	\$17,940	\$17,940	\$17,940	\$17,940
Optical scan machines and ballot-on-demand printers for additional early voting centers – capital costs			324,839	324,505	324,164
Optical scan machines – operations and maintenance			8,065	8,137	8,195
Total	\$114,090	\$17,940	\$350,845	\$350,582	\$350,298

Note: Operations and maintenance costs for the ballot-on-demand printers are not included and could further increase costs.

Source: Department of Legislative Services

Local Fiscal Effect: Local government expenditures increase by at least \$1.1 million in fiscal 2014, as shown in **Exhibit 4**. This estimate accounts for costs of 30 additional early voting centers in Baltimore (9), Frederick (2), Montgomery (10), and Prince George's (9) counties.

The estimate is based largely on survey information submitted by local boards of elections covering early voting costs for the 2012 elections and how those costs would be affected by changes to the number of early voting centers. Cost increases for Baltimore County included in the estimate account for the minimum additional costs provided by the county for additional centers and may not account for all costs. The estimate assumes that an early voting period of six days, similar to past early voting periods, would be held in 2014. As mentioned above under State Fiscal Effect, the overall cost increases would be somewhat reduced if Frederick County would have three early voting centers for the 2014 elections under current law.

Beginning in fiscal 2016, local government expenditures will also increase to account for the local governments' share of the cost of additional optical scan voting machines and ballot-on-demand printers needed for additional early voting centers, assuming an optical scan system is implemented for the 2016 elections.

Exhibit 4
Impact on Local Government Expenditures

	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
General early voting cost increases	\$1,107,785	\$1,144,245	\$846,686	\$1,144,245	\$846,686
Optical scan machines and ballot-on-demand printers for additional early voting centers – capital costs			324,839	324,505	324,164
Optical scan machines – operations and maintenance			8,065	8,137	8,195
Total	\$1,107,785	\$1,144,245	\$1,179,591	\$1,476,887	\$1,179,045

Note: Operations and maintenance costs for the ballot-on-demand printers are not included and could further increase costs.

Source: Department of Legislative Services

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Baltimore, Dorchester, Frederick, Garrett, Howard, Montgomery, and Prince George's counties; Maryland Association of Counties; Department of Legislative Services

Fiscal Note History: First Reader - March 12, 2013
ncs/hlb

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Appendix – Early and Absentee Voting

In Maryland

Maryland voters have the option of voting at an early voting center prior to election day or by absentee ballot, as alternatives to voting at a polling place on election day. These options are relatively recent changes to Maryland law. In-person early voting at early voting centers was first implemented in 2010 and “no excuse” absentee voting (not requiring a reason that a voter cannot vote on election day) was first allowed in 2006.

Exhibit 1 shows that, as a percentage of overall turnout in the 2010 and 2012 elections, use of early voting has been steadily increasing, from just under 10% in the 2010 primary election to approximately 16% in the 2012 general election, and use of absentee voting has been relatively consistent, between 3% and 6%. The actual numbers of voters who utilized these methods, however, as opposed to the percentages of voter turnout that they represented, varied much more significantly, consistent with the significant differences in overall turnout for the different elections (shown in parentheses in Exhibit 1).

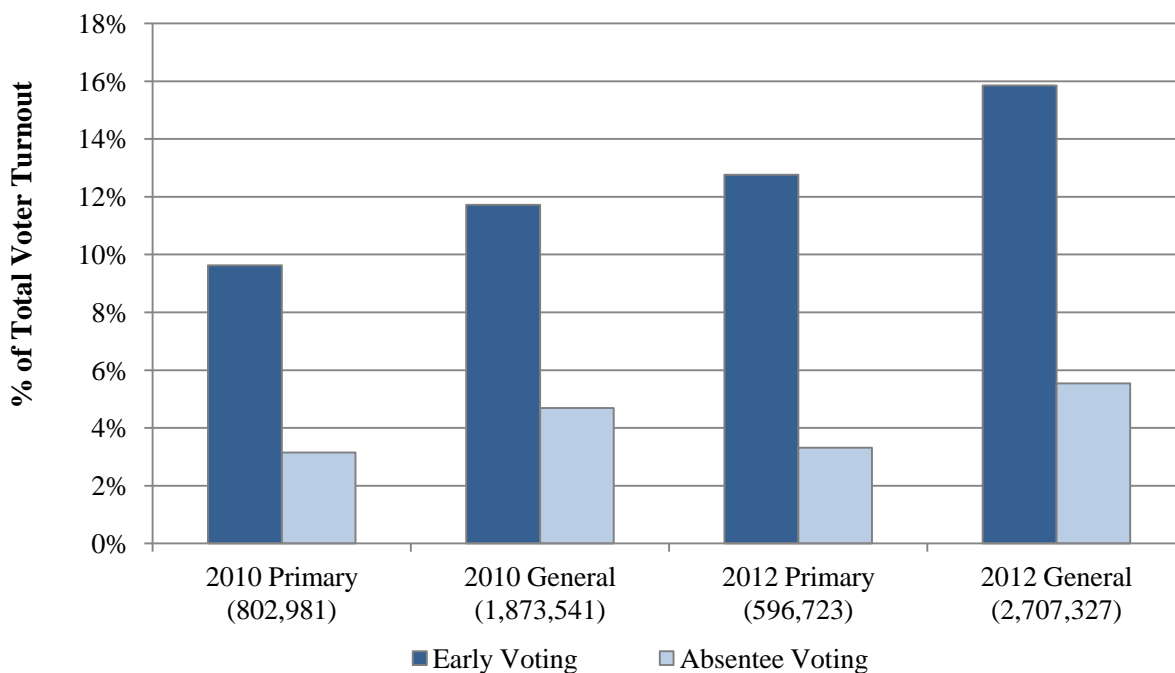
The number of early voting centers in each county is dependent on the number of registered voters in the county. A county with fewer than 150,000 registered voters has one early voting center; a county with more than 150,000 but fewer than 300,000 registered voters has three early voting centers; and a county with more than 300,000 registered voters has five early voting centers (**Exhibit 2**). A voter may vote at any early voting center in the voter’s county of residence.

Early voting was available for six days prior to the 2010 primary and general elections and the 2012 primary election, ending on the Thursday before the election in each case. Hurricane Sandy caused early voting to only be available for five days prior to the 2012 general election, ending on the Friday before the election. The early voting hours were generally from 10 a.m. to 8 p.m. each day with the exception of shorter hours when early voting fell on a Sunday and extended hours during the 2012 general election to mitigate the lesser number of days resulting from Hurricane Sandy.

The Maryland Code provides that early voting should be available for any regularly scheduled primary or general election but only specifies early voting periods and hours for the already held 2010 and 2012 elections. The statute does not specify what the early voting periods and hours will be for future elections or for other “regularly scheduled primary or general elections,” such as the already held 2011 Baltimore City elections. Pursuant to Attorney General advice, the State Board of Elections established the early voting dates and hours for the 2011 Baltimore City elections.

With respect to absentee voting, a voter must request an absentee ballot from their local board of elections and may either mail in the completed ballot, postmarked on or before election day, or deliver it to the local board of elections in person by the close of polls on election day. A person may also request, complete, and submit an absentee ballot all at one time at a local board of elections office.

Exhibit 1
Maryland Early and Absentee Voting Turnout
2010-2012



Note: Official turnout information for the 2012 general election was not available as of early February. The 2012 general election information above is based on official results for the presidential race reported by the State Board of Elections, which should be comparable to the overall turnout.

Source: State Board of Elections; Department of Legislative Services

In Other States

Currently, 32 states (and the District of Columbia) offer in-person early voting and 27 states (and the District of Columbia) permit no excuse absentee voting, according to the National Conference of State Legislatures (NCSL). In addition, Washington and Oregon conduct all elections by mail. Overall, 26 states and the District of Columbia

offer both early voting and no excuse absentee voting, as Maryland does, and 15 states allow neither early voting nor no excuse absentee voting.

The timing and length of early voting periods varies among the early voting states. According to NCSL, the average starting time for early voting, across the 32 states, is 22 days before an election. Maryland's early voting periods started on the eleventh day before the elections in 2010 and on the tenth day before the elections in 2012. NCSL indicates that the average length of early voting periods across the states is 19 days and early voting typically ends just a few days before election day, somewhere between the Thursday and the Monday before election day.

Exhibit 2
Number of Early Voting Centers in Each Jurisdiction
2012 Elections

<u>One Early Voting Center</u>	<u>Three Early Voting Centers</u>	<u>Five Early Voting Centers</u>
Allegany	Harford ¹	Howard
Calvert	Kent	Anne Arundel
Caroline	Queen Anne's	Baltimore City
Carroll	St. Mary's	Baltimore
Cecil	Somerset	Montgomery
Charles	Talbot	Prince George's
Dorchester	Washington	
Frederick	Wicomico	
Garrett	Worcester	

¹Harford County had over 150,000 registered voters as of December 2012, which will cause the county to have three early voting centers for future elections if voter registration in the county remains at that level.

Source: State Board of Elections; Department of Legislative Services
