Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 438   (Senator Mathias)

Education, Health, and Environmental Affairs   Ways and Means

Municipal Elections - Inclusion of Offices and Questions on the State Ballot

This bill authorizes a municipality to request that the State Board of Elections (SBE) include on a ballot the offices and questions to be voted on in a municipal election. The bill also establishes procedures and requirements related to such a request and the inclusion of the offices and questions on a ballot if the request is approved.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: To the extent a municipality chooses to request that SBE include its municipal offices and questions on a State election ballot, municipal expenditures may be affected depending on how associated costs compare to costs that would otherwise be incurred by the municipality to run its elections.

Small Business Effect: None.

Analysis

Bill Summary: The request from a municipality that the offices and questions to be voted on in a municipal election be included by SBE on a ballot must be filed with SBE 18 months before the deadline under State law for a certificate of candidacy to be filed for the applicable election. The municipality must certify that the charter of the municipality requires, and the municipality has established, specified deadlines and procedures for the administration of municipal elections for the municipality that are

consistent with the deadlines and procedures for State and county elections. SBE must notify the municipality, within 30 days of receipt of a request and after consultation with the local board of elections in the county where the municipality is located, of its decision whether to include the offices and questions to be voted on in the municipal election on the ballot.

If the request is approved, SBE must include the offices and questions at the end of the ballot, arranged in a similar order as other offices and questions are arranged on the ballot. The bill specifies procedural requirements applicable to questions in a municipal election to be included on a ballot by SBE. If SBE previously included a municipal election on the ballot, that municipality's elections may continue to appear on the ballot without the municipality filing an additional request, unless there is a significant change in the method the municipality uses to conduct its elections. A municipality must reimburse SBE and the applicable local (county) board of elections for any additional costs incurred by SBE or the local board.

Current Law/Background: State election law governs State, county, and Baltimore City elections held during statewide elections every two years, but generally does not govern municipal elections other than those in Baltimore City (which is considered a "county" for purposes of State law). Municipal elections are held at various times and with different frequency. SBE advises that municipal elections have been included on State election ballots in a limited number of cases in the past. The elections of one municipality, the City of Cumberland, will be included on State election ballots for the 2014 primary election on June 24.

Local Fiscal Effect: To the extent a municipality chooses to request that SBE include its municipal offices and questions on a State election ballot, SBE and/or the applicable local board of elections will incur additional expenses. These expenses include at least $12,000 per municipality for one-time computer programming which is needed to allow for the proper design of ballots that include the municipal offices and/or questions and associated vote tabulation. These additional costs, however, must be reimbursed by the municipality. Overall expenditures for a municipality may increase or decrease depending on how the costs of having municipal offices and questions included on the State election ballot compare to costs the municipality would otherwise incur to run its elections.

Additional Information

Prior Introductions: None.

Cross File: None.

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