

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 85 (Montgomery County Delegation)
Ways and Means

Montgomery County - Board of Education - Primary Election Ballots
MC 6-15

This bill requires that the name of each candidate seeking election to the Montgomery County Board of Education still appear on the primary election ballot if the number of candidates seeking election is equal to or less than the number of nominations available in the primary election.

The bill takes effect June 1, 2015.

Fiscal Summary

State Effect: General fund expenditures may increase in FY 2016 and future even-numbered fiscal years (which is when primary elections occur on the calendar) due to programming and ballot costs. Any increase in a given fiscal year is not expected to be more than \$50,000 and in many cases may be considerably less.

Local Effect: Montgomery County expenditures may increase in FY 2016 and future even-numbered fiscal years due to ballot and specimen ballot costs. Any increase in a given fiscal year is not expected to be more than \$50,000 and in many cases may be considerably less.

Small Business Effect: Minimal.

Analysis

Current Law: The Montgomery County Board of Education consists of seven elected members and one student member. Five of the elected members each reside in a different board of education district and two may reside anywhere in the county. The elected

members are elected by the voters of the entire county. Members of the board serve four-year terms that are staggered so that four members are elected in gubernatorial election years and three are elected in presidential election years.

The board members are elected on a nonpartisan basis. State election law specifies that in each year that one or more members of a board of education are to be elected, candidates must be nominated at the primary election. In a primary election, any registered voter of the county, regardless of party affiliation or lack of party affiliation, is eligible to vote in the board of education contests for nomination. A number of candidates equal to twice the number of offices to be filled are nominated for the general election.

Background: The State Board of Elections' (SBE) current practice is to not include board of education candidates on a primary election ballot when the number of candidates is equal to or less than the number of nominations available.

State Fiscal Effect: General fund expenditures may increase in fiscal 2016 and 2018 due to costs of programming changes to SBE's election management system and additional ballot costs shared with Montgomery County. Ballot costs are considered a voting system cost shared with the counties pursuant to Chapter 564 of 2001. General fund expenditures may also increase in subsequent even-numbered fiscal years (when primary elections occur on the calendar) for additional ballot costs. The occurrence and extent of any increase in ballot costs depend on the extent to which the addition of board of education candidates to a given ballot configuration (of which there are many in Montgomery County) requires an additional ballot card. This is only expected to occur in a limited number of cases. Any overall increase in general fund expenditures in a given even-numbered fiscal year is not expected to be more than \$50,000 and in many cases may be considerably less.

Local Fiscal Effect: Montgomery County expenditures may increase in fiscal 2016 and future even-numbered fiscal years due to additional ballot costs shared with the State and additional specimen (sample) ballot costs. Any increase in a given even-numbered fiscal year is not expected to be more than \$50,000 and in many cases may be considerably less.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections, Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader - February 2, 2015
min/hlb Revised - Clarification - February 10, 2015

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