

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1116
Ways and Means

(Montgomery County Delegation)

Montgomery County - Ranked Choice Voting
MC 15-16

This bill authorizes the Montgomery County Council to adopt, by law, a ranked choice voting system for special elections for county executive or member of the county council. The law may provide for the ballot format, procedures for tabulating votes, and any other necessary provisions. “Ranked choice voting” means a method of casting and tabulating votes in which voters rank candidates in order of preference and votes are tabulated in the manner known as “single transferrable vote” or the “Gregory method.” In addition, the Montgomery County Charter may provide for a single special election conducted by ranked choice voting to fill a vacancy in the offices of county executive or member of the county council.

The bill takes effect June 1, 2016.

Fiscal Summary

State Effect: General fund expenditures increase by at least \$25,000 for contractual services upon adoption of a ranked choice voting system for Montgomery County special elections. General fund expenditures decrease by at least \$50,000 in the event a single ranked choice voting special election is held in place of a countywide special primary and general election.

Local Effect: Montgomery County expenditures increase by at least \$25,000 for contractual services upon adoption of a ranked choice voting system for special elections and by at least \$20,000 for voter outreach prior to a special election. County expenditures decrease by at least \$800,000 in the event a single ranked choice voting special election is held in place of a countywide special primary and general election.

Small Business Effect: None.

Analysis

Current Law: A special primary election and a special general election may be held at a time other than the date of a regular primary election and a regular general election to fill a vacancy in the office of Representative in Congress or to fill a vacancy in the county council or in the office of chief executive officer or county executive if the charter of that county provides for special elections. Montgomery County law currently provides for a special primary and general election to be held to fill a vacancy on the county council that occurs before December 1 of the year prior to the gubernatorial elections.

Background: Ranked choice voting is a system in which, for an election of a single candidate to an office, voters rank candidates on their ballot, and if no candidate receives a majority of voters' No. 1 rankings, the last-place candidate is eliminated, and the second choices of voters that ranked the eliminated candidate No. 1 on their ballot are assigned as votes for the applicable remaining candidates. If that causes a candidate to then have a majority of votes, the candidate wins. If not, the remaining last-place candidate is eliminated and that candidate's votes are distributed among the remaining candidates based on the voters' next-ranked choice. That process is repeated until there is a winner.

State Fiscal Effect: If the Montgomery County Council adopts a ranked choice voting system for special elections, general fund expenditures increase by at least \$25,000 for contractual services associated with establishing procedures for a ranked choice voting special election in Montgomery County. This estimate assumes the State Board of Elections (SBE) and Montgomery County Board of Elections share the cost of at least \$50,000 in contractual services, though it is uncertain whether this cost is shared or borne solely by SBE or the Montgomery County Board of Elections. The timing of the general fund expenditure increase is dependent on when the county council adopts a ranked choice voting system for special elections.

If a Montgomery County special election is held by a single special election using ranked choice voting in place of a countywide special primary and general election held independent of regular elections, general fund expenditures decrease by at least \$50,000 due to savings on voting system-related costs that the State shares with the local boards of elections.

It is expected that the State's voting system can be used for a special election using ranked choice voting but that ballot information will need to be exported from the system and independently tabulated, whether by State or local elections staff or through contractual

services. It is uncertain at this time whether, and to what extent, State expenditures may increase due to costs associated with tabulation of results.

Local Fiscal Effect: If the Montgomery County Council adopts a ranked choice voting system for special elections, Montgomery County expenditures increase by at least \$25,000 for contractual services associated with establishing procedures for a ranked choice voting special election in Montgomery County. As mentioned above, this assumes SBE and the Montgomery County Board of Elections share the cost of at least \$50,000 in contractual services. The timing of the expenditure increase is dependent on when the county council adopts a ranked choice voting system for special elections.

County expenditures also increase by at least \$20,000 for voter outreach prior to each special election to educate voters about the ranked choice voting system. It is uncertain at this time whether, and to what extent, county expenditures may increase due to costs during a special election associated with tabulation of results. If a Montgomery County special election is held by a single special election using ranked choice voting in place of a countywide special primary and general election held independent of regular elections, the county realizes offsetting savings of at least \$800,000.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 1, 2016
md/hlb

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