

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 288
Ways and Means

(Delegate Moon, *et al.*)

Attorney General and Comptroller - Special Elections to Fill a Vacancy

This constitutional amendment requires the Governor to declare that a special primary and general election be held at the same time as the regular statewide primary and general election, to fill a vacancy in the office of Attorney General or Comptroller if the vacancy occurs on or before 21 days before the deadline for filing certificates of candidacy for the regular statewide election held in the second year of the term of office. The Governor appoints an eligible individual to fill the vacancy (in the case of the office of the Comptroller, by and with the consent of the Senate) until a successor is elected by special election. If the vacancy occurs after 21 days before the certificate of candidacy deadline for the regular statewide election in the second year of the term, the appointed individual serves for the remainder of the term.

Fiscal Summary

State Effect: If the constitutional amendment is approved in the November 2016 general election, the bill is not expected to materially affect State finances.

Local Effect: If the constitutional amendment is approved in the November 2016 general election, the bill is not expected to materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law: Under the Maryland Constitution, if a vacancy occurs in the office of the Attorney General, the Governor appoints a person to fill the vacancy for the remainder of the term. If a vacancy occurs in the office of the Comptroller, the Governor, by and with

the advice and consent of the Senate, must fill such vacancy by appointment, to continue until another election and until the qualification of the successor.

State Fiscal Effect: State costs of printing ballots may increase to the extent inclusion of the proposed constitutional amendment on the ballot at the next general election would result in a need for a larger ballot card size or an additional ballot card for a given ballot (the content of ballots varies across the State, depending on the offices, candidates, and questions being voted on). However, it is assumed that the potential for such increased costs will have been anticipated in the State Board of Elections' budget. Pursuant to Chapter 564 of 2001, the State Board of Elections shares the costs of printing paper ballots with the local boards of elections.

Local Fiscal Effect: Local boards of elections' printing and mailing costs may increase to include information on the proposed constitutional amendment with specimen ballots mailed to voters prior to the next general election and to include the proposed amendment on ballots. It is assumed, however, that the potential for such increased costs will have been anticipated in local boards of elections' budgets.

Additional Information

Prior Introductions: None.

Cross File: SB 555 (Senator Pinsky) - Education, Health, and Environmental Affairs.

Information Source(s): State Board of Elections, Governor's Office, Comptroller's Office, Department of Legislative Services

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min/hlb

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