

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1009
Ways and Means

(Delegate Platt, *et al.*)

Education, Health, and Environmental Affairs

Task Force to Study Increased Voter Participation

This bill establishes a Task Force to Study Increased Voter Participation. The task force must evaluate and identify policies that have the potential to encourage greater voter participation. The Department of Legislative Services (DLS) and the State Board of Elections (SBE) must provide staff for the task force. The task force must report its findings and recommendations to the Governor and General Assembly by December 31, 2017.

The bill takes effect June 1, 2016, and terminates June 30, 2018.

Fiscal Summary

State Effect: The bill's staffing requirements can be handled by DLS and SBE collectively, with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force must evaluate whether the following policies have the potential to encourage greater voter participation: (1) expansion of same-day voter registration to Election Day polling places; (2) expansion of early voting and same-day voter registration during early voting to additional locations, days, and hours, especially the days immediately preceding Election Day; (3) a vote-by-mail system under which all registered voters receive a ballot and return the ballot by mail; and (4) greater utilization of the State's current opt-in vote-by-mail system along with continued utilization of early voting centers and Election Day polling places for in-person voting. The task force must

also identify any other policy changes that, in its estimation, have the potential to increase voter participation.

For each of those policies, the task force must (1) evaluate the impact of the policy on the security and integrity of the electoral process; (2) estimate the cost to the State and local boards of elections of implementing the policy; (3) identify any other important effects of implementing the policy; (4) identify any measures that should be taken to mitigate any adverse effects of implementing the policy; and (5) considering all the advantages and disadvantages of the policy, determine whether the task force recommends adoption of the policy.

Current Law/Background: Early voting was first implemented in Maryland in 2010 and “no excuse” absentee voting (not requiring a reason that a voter cannot vote in person) was first allowed in 2006. Chapters 157 and 158 of 2013 expanded early voting in 2014 and establish, beginning in 2016, same-day registration during early voting, allowing an individual to both register to vote and vote at an early voting center. For further background information on early and absentee voting see the attached **Appendix – Early and Absentee Voting**.

The National Conference of State Legislatures indicates that three states – Oregon, Washington, and Colorado – conduct all elections by mail, in place of traditional in-person voting precincts. Nineteen other states allow certain elections to be held by mail. Maryland law currently allows for special elections to be conducted by mail, where each eligible voter is mailed a ballot. The completed ballot must be mailed by the voter on or before the day of the special election or returned to the local board of elections office in person by 8 p.m. on the day of the special election. At least one voting center is also made available, in a special election conducted by mail, for those who choose to vote in person.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections, National Conference of State Legislatures, Department of Legislative Services

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

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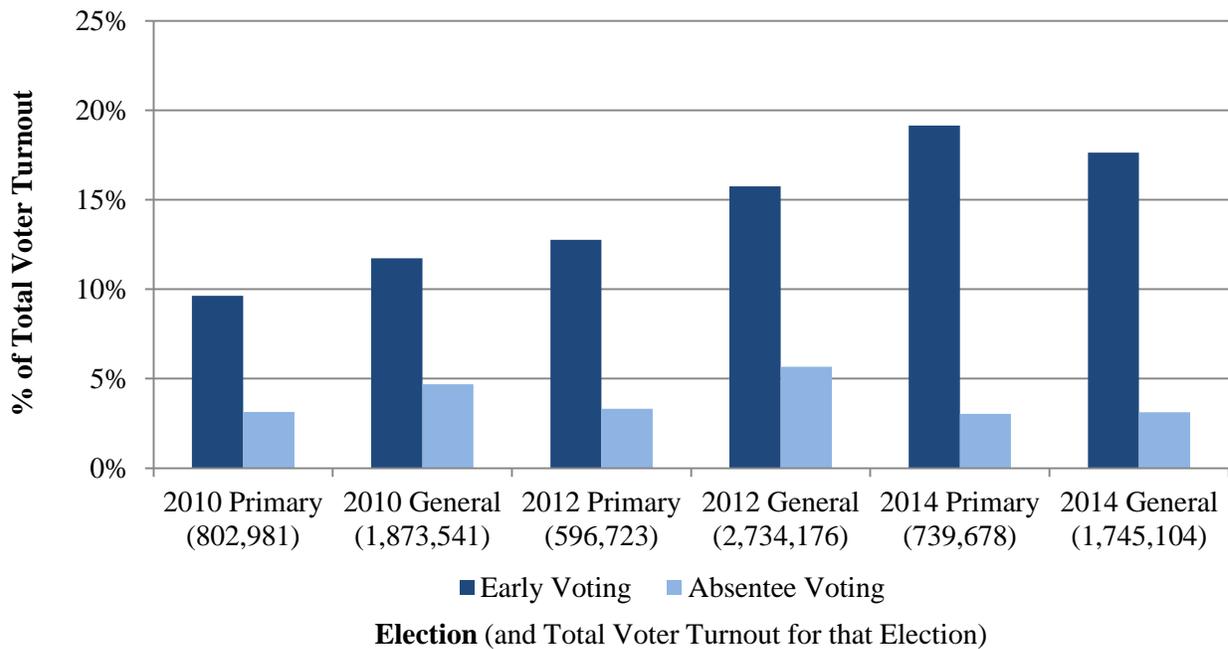
Appendix – Early and Absentee Voting

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. 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 in person) was first allowed in 2006.

Exhibit 1 shows that, as a percentage of overall turnout in the 2010 through 2014 elections, use of early voting has been generally increasing, from just under 10% in the 2010 primary election to over 15% in recent elections, and use of absentee voting has been relatively consistent, between 3% and 6%.

Exhibit 1
Maryland Early and Absentee Voting Turnout
2010-2014



Source: State Board of Elections; Department of Legislative Services

There were additional early voting centers and a longer early voting period for the 2014 elections pursuant to Chapters 157 and 158 of 2013. **Exhibit 2** and **Exhibit 3** show

the changes made by Chapters 157 and 158. The number of early voting centers in each county, for the 2016 elections, is shown in **Exhibit 4**. A voter may vote at any early voting center in the voter's county of residence. In addition, pursuant to Chapters 157 and 158, an individual will be able to both register to vote (or change his/her voter registration address) and vote at an early voting center in 2016.

Chapters 157 and 158 also expanded and clarified the methods by which a voter may request and receive an absentee ballot. An absentee ballot must be requested in writing (there are State and federal forms that can be used) or, pursuant to Chapters 157 and 158, a request can be submitted online through the State Board of Elections website. The available methods for a voter to receive an absentee ballot are (1) by mail; (2) by facsimile transmission; (3) through the Internet; or (4) by hand during an in-person transaction. To return an absentee ballot, a voter 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.

In Other States

Research by the National Conference of State Legislatures (NCSL) indicates that 37 states and the District of Columbia offer some form of in-person early voting, and 27 states and the District of Columbia permit no excuse absentee voting. Colorado, Oregon, and Washington conduct all elections by mail.

The timing and length of early voting periods varies among the early voting states. According to NCSL, the average starting time for early voting is 22 days before an election. 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.

Exhibit 2
Early Voting Centers

Prior to Chs. 157/158		Under Chs. 157/158	
<u>Registered Voters in a County</u>	<u>Early Voting Centers</u>	<u>Registered Voters in a 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

*In addition to these required centers, each county may establish one additional early voting center if the State Board of Elections, in collaboration with the local board of elections, and the governing body of the county agree to establish an additional center.

Exhibit 3
Early Voting Days and Hours

Prior to Chs. 157/158		Under Chs. 157/158
<u>2010 Elections</u>	<u>2012 Elections</u>	<u>2014 and Future Elections</u>
<i><u>Days (6)</u></i>	<i><u>Days (6)</u></i>	<i><u>Days (8)</u></i>
Second Friday before the election through Thursday before the election, excluding Sunday	Second Saturday before the election through Thursday before the election	Second Thursday before the election through Thursday before the election
<i><u>Hours</u></i>	<i><u>Hours</u></i>	<i><u>Hours</u></i>
10 a.m.-8 p.m. (each day)	10 a.m.-8 p.m. (Saturday; Monday-Thursday) 12 noon-6 p.m. (Sunday)	Presidential general election: 8 a.m.-8 p.m. (each day) All other elections: 10 a.m.-8 p.m. (each day)

Exhibit 4
Early Voting Centers in Each County

Jurisdiction	Registered Voters (December 2015)	Early Voting Centers in the 2016 Elections
Montgomery	631,981	9
Prince George's	551,143	8
Baltimore	536,220	9
Baltimore City	369,051	6
Anne Arundel	362,933	5
Howard	201,297	3
Harford	169,209	4
Frederick	157,108	3
Carroll	118,077	1
Charles	103,480	2
Washington	91,387	1
St. Mary's	66,363	1
Cecil	62,297	1
Calvert	61,103	1
Wicomico	57,793	1
Allegany	42,709	1
Worcester	36,708	1
Queen Anne's	33,686	2
Talbot	26,254	1
Dorchester	20,738	1
Garrett	19,300	2
Caroline	19,041	1
Somerset	13,076	1
Kent	12,884	1
Total	3,763,838	66

Source: State Board of Elections
