

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 766
Ways and Means

(Delegate Moon, *et al.*)

State Officers - Year of Election

This proposed constitutional amendment moves the elections for State officers, including Governor and Lieutenant Governor, the Attorney General, the Comptroller, and members of the General Assembly, so that State officers are elected in presidential election years, beginning in 2024. Elections for county officers remain on the current schedule (2018 and every following four years). Under provisions that do not apply to Judges of the Court of Appeals, Court of Special Appeals, or the circuit courts, the proposed constitutional amendment requires that those elected as State officers in 2022 serve two-year terms. If a State officer that is elected in 2022 is subject to a term limitation, the officer is eligible to serve one term in excess of the number of terms the officer would otherwise be eligible to serve in accordance with the term limitation.

Fiscal Summary

State Effect: None in the near term. If the constitutional amendment is approved by the voters, certain election costs may be affected in future years, as discussed below.

Local Effect: None in the near term. If the constitutional amendment is approved by the voters, certain election costs may be affected in future years, as discussed below.

Small Business Effect: None.

Analysis

Current Law/Background: Under Article XVII (Quadrennial Elections) of the Maryland Constitution, with certain exceptions, State and county officers are elected every four years during the gubernatorial elections (upcoming in 2018 and every four years thereafter). An

exception was created in 2000 for Cecil County, which currently elects its council members and county executive to four-year terms but elects two council members and the county executive during the presidential elections and three council members during the gubernatorial elections. Additional exceptions exist for elective local boards of education and for county council and county executive vacancies filled by special election in charter counties.

State Fiscal Effect:

Moving State Officer Elections to Presidential Election Years

While moving State officer elections to presidential election years should not significantly affect overall State election costs, certain cost increases may occur in presidential election years as a result, such as an increase in paper ballot costs. If moving the State officer races onto the presidential election ballot adds a ballot card or increases the ballot card size, per ballot costs increase. The content and length of ballots varies across the State, depending on the offices, candidates, and questions being voted on by a given voter based on his or her address, so not all ballots would be equivalently affected. For contextual purposes, assuming a number of ballots at least equal to the number of current registered voters (approximately 4 million – which would increase by 2024) is printed for the presidential general election in 2024, at an average rate of \$0.25 per ballot, if ballot costs increase by 25% because of State officers appearing on the ballot, ballot costs increase overall by at least \$250,000. That cost is split by the State and local boards of elections, pursuant to Chapter 564 of 2001.

Placing the Constitutional Amendment on the Ballot

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. However, it is assumed that the potential for such increased costs resulting from any proposed constitutional amendments will have been anticipated in the State Board of Elections' budget irrespective of this bill.

Local Fiscal Effect:

Moving State Officer Elections to Presidential Election Years

Similar to the State effect above, while moving State officer elections to presidential election years should not significantly affect overall local election costs, certain cost increases may occur in presidential election years as a result, such as an increase in paper ballot costs (split by the State and local boards of elections).

Placing the Constitutional Amendment on the Ballot

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 resulting from any proposed constitutional amendments will have been anticipated in local boards of elections' budgets irrespective of this bill.

Additional Information

Prior Introductions: None.

Cross File: SB 1003 (Senators Manno and Smith) - Education, Health, and Environmental Affairs.

Information Source(s): State Board of Elections; Governor's Office; Baltimore City; Montgomery and Prince George's counties; State's Attorneys' Association, Department of Legislative Services

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