

Department of Legislative Services
 Maryland General Assembly
 2018 Session

FISCAL AND POLICY NOTE

House Bill 63 (Delegate Carr)
 Ways and Means

Elections - Ballots - Random Ordering of Names

This bill changes the manner of determining the order in which names of multiple candidates for nomination or election to an office, who are members of the same party, are listed on the ballot in relation to each other in a primary or general election conducted under State election law. Instead of being listed in alphabetical order by surname, a local board of elections must conduct a random drawing to determine the order of the names of those candidates on the ballot. “Candidate” includes a Governor and Lieutenant Governor unit. The drawing must be conducted in a manner required by the State Board of Elections (SBE). **The bill takes effect January 1, 2019.**

Fiscal Summary

State Effect: General fund expenditures increase by \$14,500 in FY 2019 and by additional amounts in future years. Revenues are not affected.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	14,500	34,500	20,000	20,000	20,000
Net Effect	(\$14,500)	(\$34,500)	(\$20,000)	(\$20,000)	(\$20,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local government expenditures increase by \$14,500 in FY 2019 and by additional amounts in future years. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: In both primary and general elections, when there is more than one candidate of the same political party for nomination or election to an office, the names of the candidates in the group are listed in alphabetical order by surname. In the primary election, candidates for Governor and Lieutenant Governor are arranged in the order of surnames of the gubernatorial candidates.

In a general election, the names of candidates are grouped together by party, with the majority party candidate or candidates listed first, followed by the candidate or candidates of the principal minority party, followed by the candidate or candidates of other political parties in descending order based on the statewide registration of the party, and finally by candidates who are not nominees of a political party.

Background: The National Conference of State Legislatures indicated in 2015 that twelve states (Alaska, Arkansas, California, Idaho, Kansas, Kentucky, Montana, Nebraska, New Hampshire, New Jersey, North Dakota, and Ohio) required ballot rotation of candidate names as one way to mitigate giving an advantage to just one candidate by placing his or her name at the top of the ballot.

State Fiscal Effect: General fund expenditures increase as shown in **Exhibit 1** reflecting (1) costs of programming SBE's election management system to accommodate the new manner of ordering names of candidates of the same party, on ballots, and (2) costs of contractual services to handle additional ballot programming work prior to each election. These costs are expected to be shared by the State (50%) and local governments (50%).

Exhibit 1 State and Local Government Expenditure Increases

	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
Election management system programming	\$29,094	\$29,094			
Ballot programming		\$40,000	\$40,000	\$40,000	\$40,000
Total	\$29,094	\$69,094	\$40,000	\$40,000	\$40,000
State general fund (50%)	\$14,547	\$34,547	\$20,000	\$20,000	\$20,000
Local government (50%)	\$14,547	\$34,547	\$20,000	\$20,000	\$20,000

Local Expenditures: Local government expenditures increase as shown in Exhibit 1, reflecting 50% of the costs described above under State Expenditures.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Baltimore City; Caroline, Howard, Montgomery, and Prince George's counties; National Conference of State Legislatures; Department of Legislative Services

Fiscal Note History: First Reader - January 22, 2018
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