

Department of Legislative Services  
 Maryland General Assembly  
 2019 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 320 (Delegate Wilkins, *et al.*)  
 Environment and Transportation

2020 Census Complete Count Commission

This bill establishes the 2020 Census Complete Count Commission to ensure the fair and accurate counting of individuals in “hard-to-count populations” residing in the State and local jurisdictions in the 2020 Census. The commission is an independent commission that functions within (and is staffed by) the Maryland Department of Planning (MDP). The commission must submit an interim report to the Governor and the General Assembly by November 30, 2019, a final report is due by June 30, 2020. **The bill takes effect July 1, 2019, and terminates December 31, 2020.**

Fiscal Summary

**State Effect:** General fund expenditures increase by about \$1.9 million in FY 2020 and by \$35,720 in FY 2021. Revenues are not affected.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	1,920,300	35,700	0	0	0
Net Effect	(\$1,920,300)	(\$35,700)	\$0	\$0	\$0

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

**Local Effect:** The bill does not materially affect local government finances or operations.

**Small Business Effect:** Potential meaningful.

## Analysis

**Bill Summary:** The bill defines “hard-to-count populations” as population groups that have a higher risk of being undercounted in the 2020 Census, including:

- young children;
- racial and ethnic minorities;
- individuals who do not speak fluent English;
- households with incomes below the poverty line;
- homeless individuals;
- foreign-born residents;
- individuals who frequently move residences;
- individuals who are lesbian, gay, bisexual, transgender, or who question their sexual orientation; and
- individuals who distrust government authorities

The commission must (1) determine the State agencies that are able to support its purpose; (2) in coordination with those agencies, develop and implement a plan to ensure the fair and accurate counting of individuals in hard-to-count populations for the 2020 Census; (3) develop and implement a public awareness campaign that promotes public awareness of (and participation in) the 2020 Census; and (4) establish a public website to share information about the 2020 Census, the commission, hard-to-count populations, and any other information the commission determines appropriate to serve its purpose.

The bill authorizes the commission to (1) coordinate with the 2020 Census Grant Program Panel and (2) establish subcommittees.

The bill also specifies the membership of the commission. A member may not receive compensation but is entitled to reimbursement for expenses as provided in the State budget.

### **Current Law/Background:**

#### *2020 Census*

A decennial census is required to be taken every 10 years, pursuant to the U.S. Constitution and federal statute, with the next census occurring in 2020. April 1 of the year of the census, under federal law, is known as the “decennial census date.” Tabulation of the population must be completed within nine months of the census date. Census data is used for various purposes, including (1) apportionment of seats allocated to the states in the U.S. House of Representatives; (2) redrawing of district boundaries at various levels of government (congressional, state legislative, local districts); (3) distribution of an estimated

\$675 billion in federal funding annually; and (4) serving as a basis for government policy, commercial, and economic decision making.

A significant part of the U.S. Census Bureau's 2020 Census Operational Plan is motivating people to respond to the census, a much less expensive method of gathering the data than sending fieldworkers to collect information from nonresponders. The U.S. Census Bureau indicates that local governments or nonprofit groups can help, through marketing or other efforts, to promote the census and encourage residents to respond. The bureau also produces an interactive map that makes it easier to identify areas that typically have low response rates for the census and surveys, which community planners and local officials can use to plan, focus, and allocate resources for encouraging response to the census.

### *2020 Census Grant Program*

Chapter 18 of 2018 created a [2020 Census Grant Program](#), funded by a \$5 million general fund appropriation in fiscal 2020, to issue matching grants to local governments and nonprofit organizations to support accurate population counting and the collection of basic demographic and housing information of the population of the State under the 2020 Census.

Chapter 18 also created a 2020 Census Grant Program Panel, staffed by the Department of Legislative Services, to award the matching grants. A local government or nonprofit organization may apply to the grant panel for matching funds by March 1, 2019. The grant panel must award matching funds, by April 1, 2019, in an amount determined by the grant panel, to local governments and nonprofit organizations for approved applications. The grant panel must notify local governments of the grant program, and it is the intent of the General Assembly that local governments notify nonprofit organizations within the jurisdiction of the local government.

**State Expenditures:** General fund expenditures increase by \$1,920,292 in fiscal 2020, which assumes expenditures begin concurrent with the bill's July 1, 2019 effective date in order to comply with the timeline required by the bill. The majority of the estimated costs (\$1,750,000) are for contractual services, including:

- \$500,000 for plan development and research;
- \$1.2 million for plan implementation (which includes about \$300,000 per month for four months for a public awareness campaign and outreach); and
- \$50,000 for development and maintenance of the required website.

MDP advises that the public awareness campaign and related outreach is expected to include a variety of efforts, including printing materials, digital and print media advertising, and equipment. In addition, some portion of the estimated costs of the public awareness

campaign/outreach may be incurred to hire consultants to assist with implementation efforts in the field, among other things.

The estimate also reflects the cost of hiring two contractual employees within MDP to:

- serve as points of contact for commission members and the public;
- assist with coordinating commissioners and other State agencies;
- schedule and prepare materials for meetings;
- draft minutes of meetings;
- prepare expense reports; and
- perform any other functions necessary to administer the bill.

The estimate includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Contractual Positions	2
Salaries and Fringe Benefits	\$150,862
Contractual Services	1,750,000
Operating Expenses	<u>19,430</u>
<b>Total FY 2020 State Expenditures</b>	<b>\$1,920,292</b>

Expenditures in fiscal 2021, which are estimated to total \$35,720, primarily reflect contractual employee costs for any final administrative matters that must be resolved after the first year of commission operations.

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State's implementation of the federal Patient Protection and Affordable Care Act.

This estimate also does not include any costs for other State agencies determined by MDP to be able to support the commission's purposes. It is assumed that any costs incurred by other State agencies are minimal and absorbable within existing budgeted resources.

**Small Business Effect:** Small businesses may meaningfully benefit to the extent their services are used for marketing or other efforts funded by the commission.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 455 (Senator Guzzone) - Budget and Taxation.

**Information Source(s):** Maryland Association of Counties; Maryland Municipal League; Maryland Department of Planning; Department of Legislative Services

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