

Department of Legislative Services
 Maryland General Assembly
 2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 461 (Senator Waldstreicher)
 Education, Health, and Environmental Affairs

Election Law - Early Voting Centers - Establishment and Hours

This bill adjusts the voter registration-based requirements for the number of early voting centers in each county, resulting in a greater number of early voting centers in certain counties. The bill also (1) establishes a requirement regarding how early voting center locations are designated in counties with more than one early voting center and (2) increases the number of hours an early voting center must be open each day, during the early voting period for a gubernatorial general election.

Fiscal Summary

State Effect: General fund expenditures increase by \$25,000 in FY 2020 and FY 2021, and by increased amounts in future years. Revenues are not affected.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	25,000	25,000	75,000	95,000	85,000
Net Effect	(\$25,000)	(\$25,000)	(\$75,000)	(\$95,000)	(\$85,000)

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

Local Effect: Local government expenditures increase collectively by \$275,000 annually beginning in FY 2020, by \$780,000 annually beginning in FY 2022, and by \$890,000 annually beginning in FY 2024. Certain additional costs are incurred in FY 2023 and future gubernatorial general election years. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary:

Required Numbers of Early Voting Centers

The required number of early voting centers in each county is modified as shown in **Exhibit 1**.

Exhibit 1 Early Voting Centers

Current Law		Under the Bill	
<u>Registered Voters In a County</u>	<u>Early Voting Centers*</u>	<u>Registered Voters In a County</u>	<u>Early Voting Centers*</u>
<125,000	1	<100,000	1
125,000-200,000	3	100,000-200,000	3
200,000-300,000	4	200,000-300,000	5
300,000-450,000	7	300,000-400,000	7
>450,000	11	400,000-500,000	9
		500,000-600,000	11
		≥600,000	13

*Under current law and under the bill, counties with less than 200,000 registered voters 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.

Designation of Early Voting Center Locations

To the extent possible, in a county with more than one early voting center, the bill requires the State Board of Elections (SBE), in collaboration with the local board of elections in that county, to designate the location of each early voting center to maximize geographic dispersal and accessibility for the registered voters of that county.

Early Voting Center Hours for a Gubernatorial General Election

The bill requires an early voting center to be open from 8 a.m. to 8 p.m., rather than from 10 a.m. to 8 p.m., each early voting day, for a gubernatorial general election.

Current Law/Background: Early voting was first implemented in 2010 and was expanded under Chapters 157 and 158 of 2013 and Chapter 288 of 2016. There were 79 early voting centers for the 2018 general election. The early voting period runs from the second Thursday before the election through the Thursday before the election. A voter may vote at any early voting center in the voter’s county of residence.

No later than six months before a primary election, SBE, in collaboration with the local board in each county, must designate each early voting center in that county.

Early voting centers are open, in a presidential general election, during the hours between 8 a.m. and 8 p.m. each early voting day. In all other elections, early voting centers are open during the hours between 10 a.m. and 8 p.m. each early voting day.

For further background information on early voting see the attached **Appendix – Early and Absentee Voting**.

State and Local Fiscal Effect:

Additional Early Voting Centers

General fund expenditures increase by \$25,000 annually beginning in fiscal 2020, by \$75,000 annually beginning in fiscal 2022, and by \$85,000 annually beginning in fiscal 2024, due to costs of additional voting equipment and voting equipment transportation for additional early voting centers. SBE shares voting system costs with the local boards of election pursuant to Chapter 564 of 2001.

Local government expenditures increase collectively by \$275,000 annually beginning in fiscal 2020, by \$780,000 annually beginning in fiscal 2022, and by \$890,000 annually beginning in fiscal 2024, due to the costs of additional voting equipment and voting equipment transportation (shared with the State), and operating costs, for additional early voting centers.

As shown in **Exhibit 1** this estimate accounts for 4 additional early voting centers being established for the 2020 elections, 8 more (for a total of 12) additional early voting centers being established for the 2022 elections, and 2 more (for a total of 14) additional early voting centers being established for the 2024 and future elections.

The estimate assumes that (1) the amount of registered voters in Baltimore City and Anne Arundel, Prince George’s, and Washington counties surpasses relevant thresholds under the bill in time to cause eight additional early voting centers to be required in those counties, collectively, for the 2022 elections and (2) the amount of registered voters in Frederick and Harford counties surpasses relevant thresholds under the bill in time to cause

an additional early voting center to be required in each of those counties, for the 2024 elections. The estimate also assumes that growth in the amount of registered voters in Carroll County will result in a need for an additional early voting center for the 2020 elections even in the absence of the bill and therefore does not account for an impact in Carroll County.

The cost estimates were developed using average operating costs of early voting centers for counties in different tiers of voter registration populations (Baltimore, Montgomery, and Prince George’s counties in the top tier; Anne Arundel County and Baltimore City in the next tier; etc.) across primary and general elections, along with information provided by SBE regarding amounts of equipment used per early voting center by the different counties. The average operating costs per early voting center are based on past early voting cost information collected by the Department of Legislative Services, adjusted using more recent information provided by certain local boards of elections. Actual operating costs may be somewhat lower in primary election years and higher in general election years, because of lower and higher expected voter turnout, respectively.

Exhibit 1
Costs of Additional Early Voting Centers

	No. of Additional Centers	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
State Total		\$25,000	\$25,000	\$75,000	\$75,000	\$85,000
Anne Arundel	2	-	-	130,000	130,000	130,000
Baltimore City	2	-	-	125,000	125,000	125,000
Charles	1	40,000	40,000	40,000	40,000	40,000
Frederick	1	-	-	-	-	45,000
Harford	1	-	-	-	-	65,000
Howard	1	65,000	65,000	65,000	65,000	65,000
Montgomery	2	170,000	170,000	170,000	170,000	170,000
Prince George’s	2	-	-	175,000	175,000	175,000
Washington	2	-	-	75,000	75,000	75,000
Local Government Total		\$275,000	\$275,000	\$780,000	\$780,000	\$890,000

Source: Department of Legislative Services

Additional Early Voting Center Hours

Increasing the number of hours early voting centers are open each early voting day in a gubernatorial general election is expected to increase the State and local boards of elections' costs.

Both the State and local boards of elections' costs increase for additional compensation of voting system support personnel, which is a voting system cost shared by the State and local boards of elections. General fund expenditures increase by not more than \$20,000 and local government expenditures also increase collectively by not more than \$20,000 in fiscal 2023 and future gubernatorial general election years for the additional voting system support personnel compensation.

Local boards of elections may also incur additional costs, primarily additional compensation of local board of elections personnel and election judges. Of a small number of counties contacted about the impact, some have indicated they do not expect a fiscal impact while others expect expenditures to increase. Carroll County, for example, indicates that its costs increase by \$7,600 in fiscal 2023 (the fiscal year in which the 2022 gubernatorial general election falls) and Harford County indicates that its costs increase by \$20,900.

Additional Information

Prior Introductions: None.

Cross File: HB 79 (Delegate Luedtke) - Ways and Means.

Information Source(s): State Board of Elections; Baltimore City; Carroll, Cecil, Charles, Frederick, Harford, Montgomery, Queen Anne's, and St. Mary's counties; National Conference of State Legislatures; Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2019
mag/hlb

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

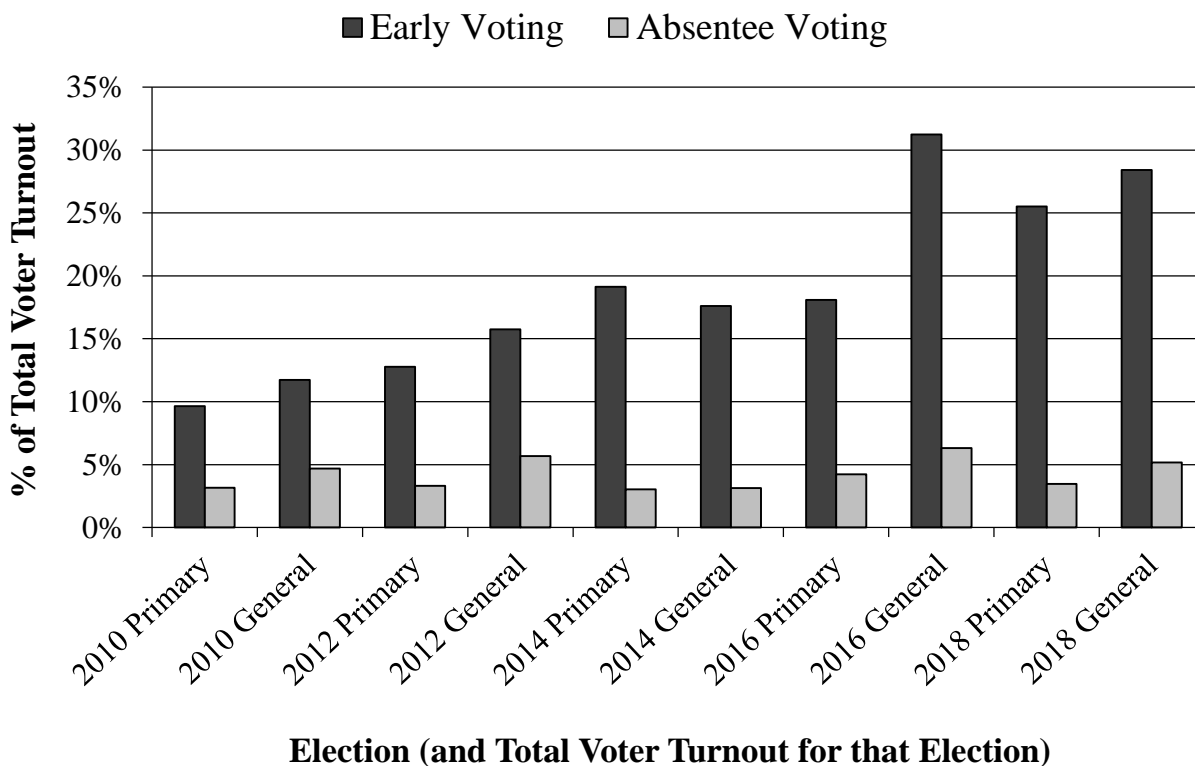
Appendix – Early and Absentee Voting

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 2018 elections, use of early voting has been generally increasing, surpassing 25% in recent elections, and use of absentee voting has been between 3% and 7%.

Exhibit 1
Maryland Early and Absentee Voting Turnout
2010-2018



Source: State Board of Elections; Department of Legislative Services

Chapters 157 and 158 of 2013 increased the number of early voting centers and the length of the early voting period, and Chapter 288 of 2016 further increased the number of centers. **Exhibit 2** and **Exhibit 3** show the changes made by Chapters 157 and 158 and Chapter 288. The number of early voting centers in each county, for the 2018 general election, 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 has been able to both register to vote (or change his/her voter registration address) and vote at an early voting center since 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 39 states and the District of Columbia offer some form of in-person early voting, and 28 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		Under Ch. 288 (Current Law)	
Registered Voters in a <u>County</u>	Early Voting <u>Centers</u>	Registered Voters in a <u>County</u>	Early Voting <u>Centers*</u>	Registered Voters in a <u>County</u>	Early Voting <u>Centers*</u>
< 150,000	1	< 125,000	1	< 125,000	1
150,000-300,000	3	125,000-300,000	3	125,000-200,000	3
> 300,000	5	300,000-450,000	5	200,000-300,000	4
		> 450,000	8	300,000-450,000	7
				> 450,000	11

*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. Chapter 288 limited this option to apply only to counties with less than 200,000 registered voters.

Source: Department of Legislative Services

Exhibit 3
Early Voting Days and Hours

Prior to Chs. 157/158

2010 Elections

Days (6)

Second Friday before the election through Thursday before the election, excluding Sunday

Hours

10 a.m.-8 p.m. (each day)

2012 Elections

Days (6)

Second Saturday before the election through Thursday before the election

Hours

10 a.m.-8 p.m. (Saturday; Monday-Thursday)
12 noon-6 p.m. (Sunday)

**Under Chs. 157/158 (Current Law;
no changes were made by Ch. 288)**

2014 and Future Elections

Days (8)

Second Thursday before the election through Thursday before the election

Hours

Presidential general election:
8 a.m.-8 p.m. (each day)

All other elections:
10 a.m.-8 p.m. (each day)

Source: Department of Legislative Services

Exhibit 4
Early Voting Centers in Each County

<u>Jurisdiction</u>	<u>Registered Voters (December 2018)</u>	<u>Early Voting Centers 2018 General Election</u>
Allegany	43,436	1
Anne Arundel	394,529	7
Baltimore City	393,029	7
Baltimore	561,443	11
Calvert	66,605	1
Caroline	20,495	1
Carroll	123,565	2
Cecil	66,398	1
Charles	114,818	2
Dorchester	21,611	1
Frederick	177,016	4
Garrett	20,006	2
Harford	183,711	4
Howard	220,609	4
Kent	13,232	1
Montgomery	670,134	11
Prince George's	589,433	11
Queen Anne's	36,364	2
St. Mary's	71,937	1
Somerset	13,307	1
Talbot	27,291	1
Washington	97,010	1
Wicomico	62,847	1
Worcester	39,280	1
Total	4,028,106	79

Source: State Board of Elections
