

Department of Legislative Services
 Maryland General Assembly
 2019 Session

FISCAL AND POLICY NOTE
 First Reader

Senate Bill 385 (Senator Zirkin)
 Education, Health, and Environmental Affairs

Election Law - Primary Elections - Voting by Unaffiliated Voters

This bill allows a voter who is not affiliated with a political party to vote in a primary election for the candidates of a political party of the voter’s choice. A voter may not vote for the candidates of more than one political party in a primary election. A voter who is not affiliated with a political party is not eligible to vote for (1) a member of the local central committee of the political party or (2) in the year of a presidential election, delegates to a national presidential nominating convention of the political party. A voter affiliated with a political party may vote only for candidates of that political party in a primary election.

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$91,500 in FY 2020 and by similar amounts in future years in which a primary election occurs.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	91,500	0	91,500	0	91,500
Net Effect	(\$91,500)	\$0	(\$91,500)	\$0	(\$91,500)

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

Local Effect: Local government expenditures increase by approximately \$106,000 in FY 2020 and by similar amounts in future years in which a primary election occurs.

Small Business Effect: None.

Analysis

Current Law/Background: The Republican and Democratic parties are required to use the primary elections to nominate candidates for public office, and the parties have discretion whether to allow voters not affiliated with the party to vote in the party's primary. The two parties currently have "closed" primaries, only allowing voters affiliated with each party to vote in the party's primary elections to nominate candidates for the general election. Unaffiliated and third-party voters, therefore, are not able to vote in primary elections, with the exception of any nonpartisan races being voted on in the election, such as local board of education races.

State Expenditures: General fund expenditures increase by approximately \$91,500 in fiscal 2020 for the State's share of the cost of additional ballots for the 2020 primary election. This estimate is based on ballots ordered for the 2016 and 2018 primary elections and an assumed increase in ballots ordered (850,000 ballots) to ensure enough Republican and Democratic party ballots are available for unaffiliated voters that vote in the primary election. Pursuant to Chapter 564 of 2001, the State Board of Elections shares the costs of printing paper ballots with the local boards of elections. General fund expenditures increase by similar amounts in future years in which a primary election occurs.

Local Expenditures: Local government expenditures increase by approximately \$106,000 in fiscal 2020 for the local governments' share of the cost of additional ballots at voting locations and the cost of mailing additional absentee ballots. Local government expenditures increase by similar amounts in future years in which a primary election occurs.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Baltimore City; Prince George's County; Department of Legislative Services

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sb/hlb

Analysis by: Scott D. Kennedy

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