

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader - Revised

House Bill 137 (Montgomery County Delegation)
 Ways and Means

Montgomery County - Elections - Early Voting Centers
 MC 19-20

This emergency bill requires that Montgomery County have 12 early voting centers (instead of 11), beginning with the 2020 election cycle. The bill also requires, for the 2020 election cycle, that the 12th early voting center be located at the White Oak Community Recreation Center, or, if it is not available, at another facility that serves the White Oak area community.

Fiscal Summary

State Effect: General fund expenditures increase by \$8,700 in FY 2020 and by \$6,900 annually thereafter. Revenues are not affected.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	8,700	6,900	6,900	6,900	6,900
Net Effect	(\$8,700)	(\$6,900)	(\$6,900)	(\$6,900)	(\$6,900)

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

Local Effect: Montgomery County expenditures increase by \$111,400 in FY 2020 and by \$98,900 annually thereafter with the exception of FY 2022, when expenditures increase by \$121,100. Revenues are not affected. **The bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: Each county is required to have a certain number of early voting centers, based on the number of registered voters in the county, as shown in **Exhibit 1**. (Montgomery County has 665,000 registered voters, according to the most recent voter registration statistics, for December 2019.) Pursuant to State Board of Elections (SBE) regulations, the number of registered voters in a county is determined as of eight months prior to the primary election. Each county may establish one additional early voting center if SBE, in collaboration with the local board of elections, and the governing body of the county agree to establish an additional center.

Exhibit 1 Required Early Voting Centers

<u>Registered Voters In a County</u>	<u>Early Voting Centers</u>
<125,000	1
125,000-200,000	3
200,000-300,000	4
300,000-450,000	7
>450,000	11

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. (The bill makes an exception to this requirement in 2020 for the 12th early voting center in Montgomery County required by the bill.)

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 Fiscal Effect: General fund expenditures increase by \$8,700 in fiscal 2020 for the 2020 primary election and by \$6,900 annually thereafter for subsequent elections due to costs of additional voting equipment, ballots, and voting equipment transportation for the additional early voting center in Montgomery County. SBE shares voting system costs with the local boards of elections pursuant to Chapter 564 of 2001.

This estimate is based on costs for the State's current voting system, the contract for which ends after the 2020 elections. Actual voting system costs associated with this bill may vary from this estimate, beginning in fiscal 2022, depending on how costs of the statewide voting system change for the 2022 and future elections.

Local Fiscal Effect: Montgomery County expenditures increase by \$111,400 in fiscal 2020, for the 2020 primary election and by \$98,900 annually thereafter for subsequent elections, with the exception of fiscal 2022, when expenditures increase by a somewhat greater amount, \$121,100, due to an expected purchase of new pollbooks and pollbook printers.

The expenditure increases reflect the voting system costs shared with the State plus other equipment and personnel costs, paid for solely by the county, to operate the additional early voting center. Of the \$111,400 first year costs, \$40,200 is for personnel needed for preparations prior to early voting, \$51,700 is for personnel (including election judges) needed during early voting, and \$19,500 is for early voting center equipment and supplies (both the voting system costs shared with the State and equipment and supplies paid for solely by the county).

As mentioned above, this estimate is based on costs for the State's current voting system, the contract for which ends after the 2020 elections. Actual voting system costs associated with this bill may vary from this estimate, beginning in fiscal 2022, depending on how costs of the statewide voting system change for the 2022 and future elections.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): State Board of Elections; Montgomery County; Department of Legislative Services

Fiscal Note History: First Reader - February 10, 2020
an/hlb Revised - Updated Information - February 10, 2020

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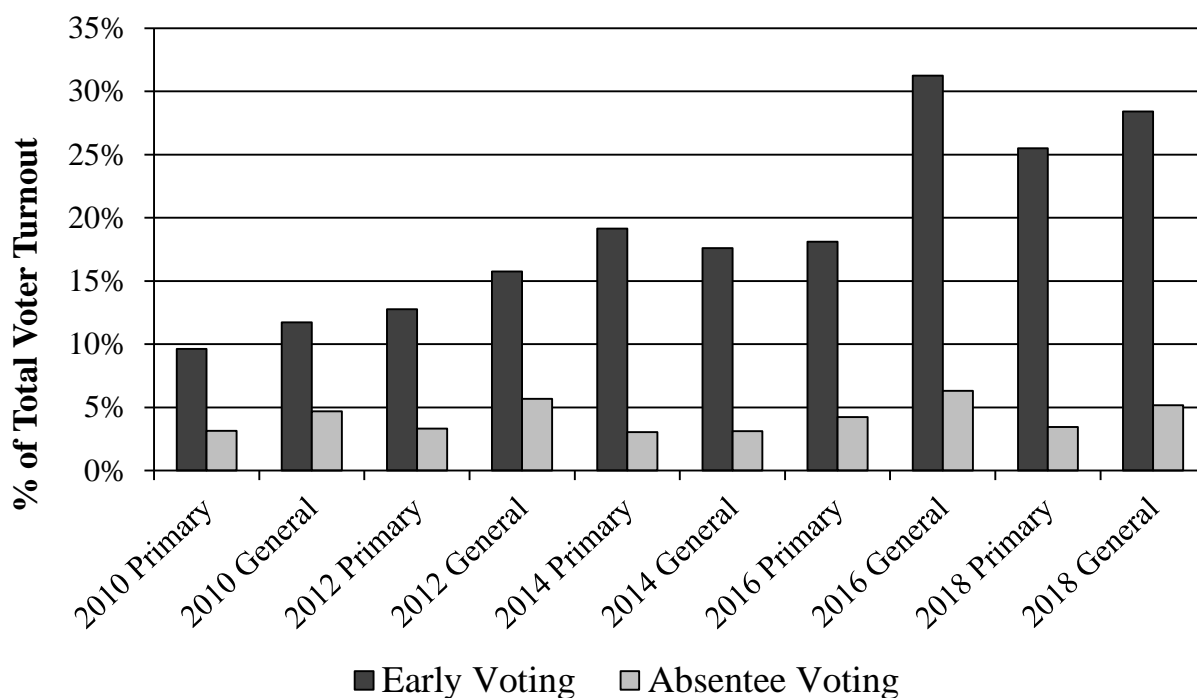
Appendix – Early and Absentee Voting

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



Election (and Total Voter Turnout for that Election)

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 (SBE) 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 (1) mail in the completed ballot, postmarked on or before Election Day; (2) deliver it to the local board of elections in person by the close of polls on Election Day; or (3) pursuant to an SBE regulation change effective in January 2020, deliver it to a polling place before the polls close at that polling place on Election Day.

In Other States

Research by the National Conference of State Legislatures (NCSL) indicates that (1) in 2020, 40 states and the District of Columbia will offer some form of in-person early voting and (2) 33 states and the District of Columbia either permit no excuse absentee voting or, in some cases, conduct all elections by mail. Among those 33 states, Colorado, Hawaii, Oregon, Utah, 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 County	Early Voting Centers	Registered Voters in a County	Early Voting Centers*	Registered Voters in a County	Early Voting Centers*
< 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, but Chapter 539 of 2019 removed that limitation.

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
