

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 525

(Senator McCray)

Education, Health, and Environmental Affairs

Judiciary

**Department of Public Safety and Correctional Services and State Board of
Elections- Centralized Booking Facility - Ballot Drop Box**

This bill requires the Baltimore City centralized booking facility to provide a secure, designated ballot drop box – provided by the State Board of Elections (SBE) and paid for by the State – for eligible voters incarcerated in the facility to easily submit absentee ballot applications, absentee ballots, and voter registration forms to SBE or a local board of elections. The local board of elections for Baltimore City must (1) collect the election related materials from the ballot drop box and distribute them to SBE or the appropriate local board of elections in a timely manner and (2) annually report specified information on the materials submitted to the ballot drop box.

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$2,000 in FY 2022. Any future year costs are not expected to be significant. Revenues are not affected.

Local Effect: Baltimore City expenditures increase by approximately \$2,000 annually, beginning in FY 2022. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires the Baltimore City centralized booking facility to (1) provide a secure, designated ballot drop box, from SBE, to eligible voters so that they

may easily submit absentee ballot applications, absentee ballots, and voter registration forms to SBE or a local board of elections; (2) monitor the ballot drop box 24 hours a day and seven days a week; and (3) disseminate written notifications directly to each eligible voter on how and when to use the ballot drop box. The facility must cooperate fully with SBE in implementing the bill's requirements.

“Eligible voter” means an individual who is incarcerated at the Baltimore City centralized booking facility and has the right to vote under State law. “Baltimore City centralized booking facility” means the centralized booking facility in Baltimore City that is operated by the Division of Pretrial Detention and Services in the Department of Public Safety and Correctional Services (DPSCS).

SBE must provide the Baltimore City centralized booking facility with (1) the ballot drop box and the above-mentioned written notification materials to disseminate to eligible voters and (2) advice and guidance in carrying out the bill's requirements of the facility. The State must pay for the ballot drop box.

SBE must adopt regulations in collaboration with DPSCS to provide the ballot drop box and written notifications. SBE must provide the ballot drop box to the Baltimore City centralized booking facility in time to allow eligible voters sufficient opportunity to submit election-related materials before any election-related deadlines.

The local board of elections for Baltimore City must provide staff to collect (1) election-related materials submitted to the ballot drop box on at least a weekly basis and (2) the ballot drop box after an election-related deadline. The local board must distribute the election-related materials collected from the ballot drop box to SBE or another local board, as appropriate and in a timely manner.

By January 1 each year, the local board of elections for Baltimore City must submit a report to specified legislative committees on the election-related materials submitted to the ballot drop box, specifically (1) the number of absentee ballot applications received and accepted; (2) absentee ballots received and accepted; and (3) other election-related materials received. The information must be disaggregated by each weekly collection from the ballot drop box and by SBE or the local board that is the intended recipient of the materials.

Current Law:

Voter Registration

Under State law, with certain exceptions, an individual may register to vote if the individual is a citizen of the United States, is at least age 16, and is a resident of the State as of the day the individual seeks to register. A person who has been convicted of a felony and is

currently serving a court-ordered sentence of imprisonment for the conviction is not qualified to be a registered voter.

An individual may apply to become a registered voter through a number of means including (1) visiting an election board office; (2) by mail; (3) when applying for services at a voter registration agency (specified public and nongovernmental agencies designated by SBE, including agencies providing public assistance and services for individuals with disabilities, public higher education institutions, military recruiting offices, and one-stop career centers in the Maryland Department of Labor); (4) during an applicable transaction at automatic voter registration agencies, which are the Motor Vehicle Administration, the Maryland Health Benefit Exchange, local departments of social services, and the Mobility Certification Office in the Maryland Transit Administration; (5) through SBE's online voter registration system; or (6) at an early voting center or an election day polling place in their county of residence.

Absentee (Mail-in) Voting

An individual may vote by absentee (mail-in) ballot except to the extent preempted by federal law. An absentee ballot may be requested in writing (there are State and federal forms that can be used) or online through the SBE website. The voter may choose to receive the ballot by mail, by fax, through the Internet, or by hand at a local board of elections office. The voter may return the ballot by (1) mailing it, postmarked on or before Election Day or (2) delivering it in person to an early voting center or to the local board of elections or an Election Day polling place by the close of polls on Election Day.

State Fiscal Effect: General fund expenditures increase by approximately \$2,000, in fiscal 2022, to install a ballot drop box (or boxes) at the Baltimore City centralized booking facility. While the bill refers to a single ballot drop box being provided at the facility, DPSCS indicates that multiple smaller drop boxes in different areas of the facility may be a better option, logistically, to provide eligible voters access to a ballot drop box. Whether a single, larger ballot drop box is provided at the facility, or multiple, smaller ballot drop boxes, the cost of the ballot drop box (or boxes) is expected to be, at most, in the range of \$2,000. Any ongoing costs to implement the bill are not expected to be significant.

Local Fiscal Effect: Baltimore City expenditures increase by approximately \$2,000 annually, beginning in fiscal 2022, for personnel and mileage costs to manage the collection of election-related materials from the ballot drop box (or boxes) at the Baltimore City centralized booking facility.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Baltimore City; Department of Public Safety and Correctional Services; State Board of Elections; Department of Legislative Services

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