

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 746
Ways and Means

(Delegate Wivell)

Education, Health, and Environmental Affairs

Election Law - Absentee Ballot Envelopes - Party Affiliation

This bill establishes that language or information that visibly identifies the party affiliation of a voter may not be included on an outgoing absentee ballot envelope, an absentee ballot return envelope, or an absentee ballot return envelope template provided by a local board of elections to a voter who is sent an absentee ballot through the Internet or by facsimile transmission.

Fiscal Summary

State Effect: General fund expenditures may increase by up to \$16,000 in FY 2022 only. Revenues are not affected.

Local Effect: Local government expenditures may increase, collectively, by up to \$224,000 in FY 2022 only. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: An absentee ballot sent by mail must be enclosed in specially printed envelopes, the form and content of which must be prescribed by the State Board of Elections (SBE). A local board of elections may use either two envelopes (“outgoing envelope” and “ballot/return envelope”) or three envelopes (“outgoing envelope”, “return envelope,” and “ballot envelope”). The ballot/return envelope or the return envelope must include prepaid postage.

If an absentee ballot is sent by the Internet or facsimile transmission, the local board must provide the voter with an envelope template.

State Fiscal Effect: General fund expenditures may increase by up to \$16,000 in fiscal 2022 only, for programming of SBE’s election systems to reconfigure the way that ballot styles are identified, so that they do not include an indication of party affiliation. A “ballot style” is a specific configuration of contests and questions on a ballot that is for specific voters based on where they live (what jurisdiction, district, and precinct they live in) and, in a primary election, their party affiliation. The ballot style identifying information is used to ensure the right ballot is given to a voter at an in-person voting location and is included on the outgoing envelope for a voter being sent a mail-in ballot so that the correct ballot can be paired with the envelope.

The extent of programming needed to reconfigure the way that ballot styles are identified is not known at this time, but other recent ballot style-related programming – changes made to SBE’s election systems in 2020 to allow for precinct-specific ballot styles (in order to produce precinct-based election results for all votes) – cost approximately \$240,000, with \$16,000 being a State general fund cost and \$224,000 a local government cost allocated among the local boards of elections. Costs of programming to reconfigure the way that ballot styles are identified is not expected to be more than that amount.

Local Fiscal Effect: Local government expenditures may increase, collectively, by up to \$224,000 in fiscal 2022 only, for the local share of costs for programming of SBE’s election systems to implement the bill, as described above.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): State Board of Elections; Harford, Montgomery, and Wicomico counties; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2021
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Analysis by: Scott D. Kennedy

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

