

**Department of Legislative Services**  
 Maryland General Assembly  
 2024 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 913 (Senator McKay)  
 Education, Energy, and the Environment

**Election Law - Approval Voting - Authorization for County Elections**

This bill authorizes the governing body of a county to, by law, adopt an approval voting method for elections for offices in the executive or legislative branches of county government. The bill defines “approval voting” to mean a method of casting and tabulating votes in which voters may choose any number of candidates and the candidate chosen most often is elected. The bill also requires a local law enacted to adopt approval voting to provide for an educational campaign explaining how to vote using approval voting. The State Board of Elections (SBE) may adopt regulations governing the administration of elections conducted using approval voting. **The bill takes effect January 1, 2025.**

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$95,900 in FY 2025 and by \$95,900 in FY 2026. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	95,900	95,900	0	0	0
Net Effect	(\$95,900)	(\$95,900)	\$0	\$0	\$0

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

**Local Effect:** Local government expenditures increase, collectively, by at least \$95,900 in FY 2025 and by at least \$95,900 in FY 2026. Revenues are not affected.

**Small Business Effect:** Minimal.

## Analysis

### Current Law:

#### *Uniform Election Process*

State election law, which generally governs all elections except municipal elections (other than in Baltimore City), requires that the electoral process for primary elections, general elections, and special elections be uniform, except where it would be inappropriate, or where exceptions are provided for in the law.

#### *Voting/Tabulation Method*

Generally, in elections governed by State election law, voters are able to choose in each race a number of candidates equal to the number of offices being filled in that race (*e.g.*, one candidate in a State Senate race and three candidates in some House of Delegates races), and the winners are nominated or elected based on which candidates receive the greatest number of votes.

**State Expenditures:** General fund expenditures increase by \$95,850 in fiscal 2025 and by \$95,850 in fiscal 2026, which accounts for the bill's January 1, 2025, effective date. This estimate reflects SBE's share of one-time programming costs, incurred over the course of fiscal 2025 and 2026, for modifications to SBE's election management system to accommodate approval voting for county offices in any counties that choose to adopt the voting method. (The election management system interfaces with the voting system to create ballots and aggregate results.) The total cost of programming is estimated to be \$383,400. This analysis assumes the total cost is split 50/50 between SBE and the local boards and is incurred over the course of fiscal 2025 and 2026 (assumed to be split evenly between fiscal 2025 and 2026). Costs of the election management system are largely paid for by SBE, however, since the option of approval voting would be established for county offices and would be available to any county that wishes to adopt it, this estimate assumes the counties pay for half of the cost.

**Local Fiscal Effect:** Local government expenditures increase, collectively, by at least \$95,850 in fiscal 2025 and by at least \$95,850 if fiscal 2026, accounting for the local boards' portion of one-time programming costs, incurred over the course of fiscal 2025 and 2026, for modifications to SBE's election management system, as described above.

Any counties that adopt approval voting also incur costs to conduct an educational campaign to inform voters about how to vote using approval voting, as required by the bill. *For illustrative purposes*, for similar legislation specific to Montgomery County, voter outreach costs were estimated to be \$210,000 per election.

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel, Baltimore, Frederick, and Montgomery counties; Maryland State Board of Elections; Department of Legislative Services

**Fiscal Note History:** First Reader - February 21, 2024  
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