

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1489 (Delegate Wilkins)
Ways and Means

Election Law - Absentee Ballot Application - Sending to Eligible Voters Before Primary Elections

This bill requires each local board of elections to, at least 60 days before each statewide primary election, send the State-approved absentee ballot application to each eligible voter. A local board of elections is not required to send the State-approved absentee ballot application to a voter who has permanent absentee ballot status. The bill takes effect January 1, 2025.

Fiscal Summary

State Effect: General fund expenditures increase by \$1.1 million in FY 2026 and by \$1.1 million in FY 2028. Similar costs are incurred in future years in which a primary election occurs. Revenues are not affected.

Table with 6 columns: (in dollars), FY 2025, FY 2026, FY 2027, FY 2028, FY 2029. Rows include Revenues, GF Expenditure, and Net Effect.

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

Local Effect: Local government expenditures increase by \$1.1 million in FY 2026 and by \$1.1 million in FY 2028. Similar costs are incurred in future years in which a primary election occurs. Revenues are not affected. This bill imposes a mandate on a unit of local government.

Small Business Effect: Minimal.

Analysis

Current Law: 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 State Board of Elections (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; (2) depositing it into a ballot drop box before the polls close on Election Day; or (3) 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.

Chapters 56 and 514 of 2021 allow for a voter to request permanent absentee ballot status and be placed on a permanent absentee ballot list, in which case a local board of elections sends the voter an absentee ballot each time there is an election.

Chapters 56 and 514, in uncodified language, require each local board of elections to, at least 60 days before the statewide primary election in 2022 and 2024, send the State board-approved absentee ballot application to each eligible voter. A local board of elections is not required to send the State board-approved absentee ballot application to a voter who has permanent absentee ballot status.

State and Local Fiscal Effect: State general fund expenditures and local government expenditures each increase by \$1.1 million in fiscal 2026 and by \$1.1 million in fiscal 2028, with similar costs incurred in future years in which there is a statewide primary election. This estimate reflects the printing and mailing costs expected to be incurred to send the mail-in ballot application to each eligible voter (other than those with permanent mail-in ballot status) before the 2026 primary election (\$2.1 million) and the 2028 primary election (\$2.2 million) and assumes that those costs are shared by SBE and the local boards.

This estimate does not account for any additional costs incurred by the State and/or local boards associated with processing mail-in ballot applications returned by eligible voters or additional mail-in voting that otherwise does not occur in the absence of the bill. However, based on information provided by SBE, it appears that a significant portion of mail-in voters are now on the permanent mail-in ballot list (and are sent a mail-in ballot for each election without having to request a mail-in ballot) and the list will likely grow during the 2024 elections. By 2026, sending mail-in ballot applications to eligible voters prior to statewide primary elections may have less of an effect on the level of mail-in voting in statewide elections than in 2022 and 2024.

Additional Information

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

Designated Cross File: SB 824 (Senator Kramer) - Education, Energy, and the Environment.

Information Source(s): Baltimore City; Allegany, Harford, and Talbot counties; Maryland State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - March 12, 2024
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