

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 823 (Delegate Getty)
Commerce and Government Matters

Election Law - State and Local Administrators

This bill specifies that the State Administrator of Election Laws is responsible for the operation of the State Administrative Board of Election Laws and is subject to criminal sanctions for malfeasance in the performance of duties. The bill also requires that each local elections board employ an administrator to be responsible for the operations of the local board. Similar to the State Administrator, a local administrator is subject to criminal sanctions. These administrators are subject to current law penalties of a fine ranging from \$50 to \$1,000 and/or imprisonment ranging from 30 days to 3 years.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures due to the applicable penalty provision.

Local Effect: Potential minimal increase in expenditures due to the applicable penalty provision. Each local board already has an administrator. Revenues would not be affected.

Fiscal Analysis

State Revenues: General fund revenues could increase under the bill's monetary penalty provision depending upon the number of convictions and fines imposed.

State Expenditures: General fund expenditures could increase as a result of the bill's incarceration penalty due to more people being committed to a Division of Correction (DOC) facility and increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed.

Persons serving a sentence longer than one year are incarcerated in a DOC facility. In fiscal 1997 the average monthly cost per inmate is estimated at \$1,400.

Local Expenditures: Since the counties and Baltimore City currently have elections administrators, local personnel expenditures would not be directly affected.

Expenditures could increase as a result of the bill's incarceration penalty depending upon the number of convictions and sentences imposed. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$19 to \$96 per inmate in fiscal 1997.

Information Source(s): State Administrative Board of Election Laws; Baltimore City; Frederick and Montgomery counties; Department of Fiscal Services

Fiscal Note History: First Reader - February 15, 1996

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