

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

Senate Bill 73 (Chairman, Economic and Environmental Affairs Committee)  
(Departmental - Elections, State Board of)  
Economic and Environmental Affairs

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Election Law - Write-In Candidates

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This departmental bill requires local boards of canvassers to transmit statements of returns of votes cast for write-in candidates who have filed a certificate of candidacy.

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Fiscal Summary

**State Effect:** The bill would not directly affect governmental operations or finances.

**Local Effect:** Minimal administrative efficiency savings for the local boards of elections. In practice, local boards of canvassers already tabulate and report write-in votes for certified candidates. Time and effort spent tallying write-in votes for non-certified candidates, however, would no longer be necessary.

**Small Business Effect:** The State Board of Elections has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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Analysis

**Current Law:** There is no requirement that write-in votes be tabulated. It is customary, however, for the local boards of canvassers to count write-in votes for certified candidates, and if necessary, the State Board of Elections can direct the boards to count all write-in votes. There is no cost for a candidate to file a certificate of candidacy.

**Background:** Following the 1998 general election, a petition was filed with the State Board of Elections requesting that write-in votes cast in the gubernatorial election be counted, and

as a result of the petition, the local boards of canvassers were asked to tabulate all write-in votes. Because the local boards were not prepared for the last-minute request, some larger jurisdictions were not able to complete the task until March 1999 and were forced to absorb employee overtime costs to accomplish the task. For example, Montgomery County reports that they spent approximately \$8,000 on overtime costs. The majority of non-certified write-in votes were cast for fictitious characters (e.g. Donald Duck, Superman, etc.) or for other bogus candidates (e.g. Cal Ripken Jr., Richard Nixon, etc.).

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State Board of Elections, Baltimore City, Calvert County, Howard County, Montgomery County, Prince George's County, Department of Legislative Services

**Fiscal Note History:** First Reader - January 17, 2000

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