

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 292 (Senator McFadden)
(By Request – Baltimore City Administration)
Education, Health, and Environmental Affairs

Elections - Baltimore City - Election Dates

This bill alters the years in which Baltimore City elections are held. A primary election, taking place in March, and a general election, taking place in November, will be held in each year that elections are held for the President of the United States. The first year of the new election cycle for Baltimore City is 2004.

The bill is effective July 1, 2003.

Fiscal Summary

State Effect: Any software reprogramming could be handled with the existing resources of the State Board of Elections.

Local Effect: Changing the city municipal primary from September 2003 to March 2004 would result in a \$500,000 decrease in city general fund expenditures associated with the primary in FY 2004 and 2008. This reflects alignment of the city municipal primary with the presidential primary in March. There would be no other substantive effect on city finances in the out-years as a result of this bill.

Small Business Effect: None.

Analysis

Bill Summary: This bill repeals State law that requires Baltimore City municipal elections to be held separately from the gubernatorial and presidential elections.

Specifically, the bill requires Baltimore City municipal elections to be held during the Presidential election year. This would align the city municipal elections with the presidential primary and general election. Though it is not specified in the bill, the next general election for city officers will take place in November 2004 (fiscal 2005) instead of 2003 (fiscal 2004), allowing the current officeholders to serve five years before the next election.

Current Law: State law requires the Baltimore City primary election to be held in September in the year after the Maryland gubernatorial election and the year before a presidential election. The State code also sets the general municipal election for November of the same year. However, Article XI of the Maryland Constitution allows Baltimore City to change its general election date by amending its charter. Thus, amendments to the Baltimore City charter would overrule State law provisions governing Baltimore City general municipal elections.

Background: During the 2000 general election, Baltimore City voters amended the city charter to change the off-year municipal elections to coincide with the presidential election year. Subsequently, the Attorney General advised that the charter amendment was effective only for the general election date change. Therefore, the primary date remains effective as it is written in State law. Currently, the next scheduled Baltimore City municipal primary election is scheduled for September 2003, and the general election would coincide with the presidential election in November 2004. This bill would result in the alignment of the city municipal primary with the March presidential primary, which would eliminate the need for any off-year elections in 2003. The bill also changes the date of the city general election to be consistent with the 2000 charter amendment.

Local Fiscal Effect: The bill would remove an election (September 2003) from the four-year election cycle in fiscal 2004. Each separate election costs about \$500,000. The change would decrease expenditures by \$500,000 in fiscal 2004 and by the same amount in fiscal 2008.

Additional Information

Prior Introductions: HB 311 and SB 159 of the 2001 and 2002 sessions, respectively, would have scheduled the municipal primary on September 2004. HB 311 was unfavorably reported from the House Commerce and Government Matters Committee, and SB 159 was withdrawn.

Cross File: HB 323 (Delegate Marriott, *et al.*) – Ways and Means.

Information Source(s): Maryland State Board of Elections, Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 10, 2003
lc/jr

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