

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 1394
Ways and Means

(Delegate Barve)

Election Law - Change of Party Affiliation - Time Period

This bill repeals the current prohibition on changing party affiliation during the period that begins 9 p.m. on the Monday (or the next regular business day if the Monday is a legal holiday) that is 12 weeks before a primary election, and ending 21 days before a primary election. The bill requires local boards of election to change a voter's party affiliation at any time that registration is open. The bill also repeals the requirement on local boards to submit a report of registration to the State Board of Elections (SBE) within 15 days after the commencement of the party affiliation change prohibition period above and requires these reports to be submitted when directed by SBE.

Fiscal Summary

State Effect: None. The bill is procedural in nature and would not directly affect State operations or finances.

Local Effect: Local boards of elections could comply with the bill's requirements with existing budgeted resources.

Small Business Effect: None.

Analysis

Current Law: As discussed above, registration is closed beginning at 9 p.m. on the twenty-first day preceding an election until the eleventh day after that election. Party affiliation may not be changed from 9 p.m. on the Monday, or the next regular business day if the Monday is a legal holiday, that is 12 weeks before the day on which a primary

election is to be held, until and including the day on which the registration reopens after the primary election is held.

Within 15 days after the beginning of the period during which registered voters are not allowed to change party affiliation or change to or from a decline, and at other times as directed by the State board, each local board shall submit to the State board a report of registration setting forth the following information, as shown on the registry of the respective local board at the beginning of the period: (1) the name of each political party with which one or more registered voters in their respective jurisdiction are then affiliated; and (2) the total number of registered voters affiliated with each such political party.

Background: State law provides for closed primaries unless a political party notifies SBE at least six months before a primary election that the party wishes to open its primary to unaffiliated voters. Closed primaries require SBE and local boards of election to identify all qualified voters affiliated with a particular party so that each voter will be given the appropriate ballot on election day. Currently, this process begins nearly 90 days before a primary election. The bill would shorten the time period for this administrative activity to coincide effectively with the 21-day period in which voter registration is closed in preparation for an election.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Kent County, Montgomery County, Washington County, Department of Legislative Services

Fiscal Note History: First Reader - March 16, 2004
ncs/mdr

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