

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 376

(Delegate Taylor, *et al.*)

Ways and Means

Education, Health, and Environmental Affairs

Elections - Absentee Voting - Disabled or Elderly Registered Voters

This bill allows a disabled or elderly (65 or older) individual to vote by absentee ballot and requires a local board of elections to send an absentee ballot application to each disabled or elderly registered voter who has qualified to vote by absentee ballot at a previous election. A local board is authorized to send an application by registered mail if the local board of election director is uncertain about the accuracy of the elderly or disabled voters' address..

Fiscal Summary

State Effect: Modification of the voter registration application and inclusion of a disabled and elderly voter registry as part of the statewide electronic voter registration system, currently in development, could be handled with the existing resources of State Board of Elections (SBE).

Local Effect: Expenditures could increase moderately for larger jurisdictions depending on the number of elderly or disabled voters choosing to vote by absentee ballot.

Small Business Effect: None.

Analysis

Current Law: In general, a registered voter may vote by absentee ballot at an election if the voter:

- may be absent on election day from the county in which the voter is registered;

- because of accident, illness, or physical disability, will be unable to go to the polling place on election day;
- because of confinement in or restriction to an institution, will be prevented from going to the polling place on election day;
- because of a death or serious illness in the voter's immediate family, will be unable to go to the polling place on election day;
- is a full-time student at an institution of higher education located outside the voter's precinct but within the county of registration, and academic requirements prevent the voter from going to the polling place on election day; or
- because of employment by or service as an official of the State board or a local board, is required to be absent from the precinct in which the voter is registered to vote on election day.

There are no provisions in State law that allow an elderly individual who is not ill or physically disabled to vote by absentee ballot.

Background: Allowing an elderly voter to vote by absentee ballot is a limited form of no-excuse absentee voting. In recent years, more states have been allowing voters to cast absentee ballots without providing a reason. According to the nonprofit, nonpartisan Election Reform Information Project, during the 2004 general election 25 states allowed no-excuse voting for all registered voters and several states allow voters to register as permanent absentee voters.

The federal Help America Vote Act of 2002 requires states receiving money under the Act to implement a centralized statewide voter registration database by January 1, 2006. This system will replace multiple voter registrations currently in place. SBE issued a request for proposals in November 2004 and plans to award a contract for its development by March or April of 2005.

Local Fiscal Effect: Any substantial increase in the number of voters requesting absentee ballots under the bill would increase expenditures for additional postage and printing, especially in larger jurisdictions. Large volume increases could require additional temporary staff to process absentee ballots and to perform data entry for the separate registry of disabled/elderly voters that the bill contemplates.

Additional Comments: In the 2004 general election, absentee voters comprised approximately 6% of the total voting population.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Anne Arundel County, Garrett County, Montgomery County, Prince George's County, Dorchester County, Maryland State Board of Elections, Baltimore County, Baltimore City, Department of Legislative Services

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