Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 539   (Senator Giannetti)

Education, Health, and Environmental Affairs and Judicial Proceedings

Circuit Court Judges - Ballot Designations - Nominating Party and Incumbency of Candidates

This bill requires that candidates for circuit court judge be designated as the candidate of each political party whose primary election the candidate won, or if the candidate did not win the primary election, the candidate of each political party that otherwise nominates the candidate.

Fiscal Summary

State Effect: General fund expenditures could increase by $20,000 in FY 2006 only for computer reprogramming costs to modify the ballot and retool election management software.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Revenues	$0	$0	$0	$0	$0
GF Expenditure	20,000	0	0	0	0
Net Effect	($20,000)	$0	$0	$0	$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: In contests for the election of circuit court judges, the party affiliation of the candidate is not indicated on the ballot.

The names of candidates for judge of the circuit court are placed on the ballot without a party label or other mark or location that may indicate a party affiliation.

Background: Circuit court judges are currently nominated by the two principal political parties during the primary election. Because Maryland holds closed primaries, in which only members of a particular political party may vote for that party's candidates for nomination, candidates for circuit court judge register their candidacies with both parties so as to appear on the ballots of both principal political parties during the primary. The practice of "cross-filing" candidacies dates back to 1941.

State Expenditures: The Board of Elections advises that it will require a one-time minimum $20,000 expenditure for reprogramming and testing the Election Management System to reflect the bill's changes. Currently, as judicial elections are nonpartisan, the electronic ballots do not contain an area for party affiliations. Adding parties to the ballot will require reprogramming and testing to ensure validity. Also, the current system only allows for one party per name on the ballot. The system will have to be reprogrammed to allow for multiple parties, in the event that one judge wins both primaries.

Additional Information

Prior Introductions: None.

Cross File: HB 700 (Delegate Anderson, *et al.*) – Judiciary.

Information Source(s): Somerset County, Montgomery County, Prince George's County, Charles County, Judiciary (Administrative Office of the Courts), Maryland State Board of Elections, Baltimore County, Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2005
ncs/jr

Analysis by: Kineta A. Rotan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510