

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 280
Ways and Means

(Delegate McConkey, *et al.*)

Election Law - Polling Places in Privately Owned or Leased Buildings - Rules
and Regulations

This bill clarifies that if a local board uses a privately owned or leased building as a polling place, State requirements regarding posting of informational materials and electioneering apply to those polling places. In addition, the owner or operator of a privately owned building may not impose additional rules or regulations on the polling place or on the election judge.

Fiscal Summary

State Effect: None. The bill would not directly affect State operations or finances.

Local Effect: Local government expenditures may increase in situations where polling places need to be relocated if private owners do not agree to comply with the bill's requirements. Montgomery County advises it would need to relocate approximately six polling places and would incur roughly \$7,000 of expenses for communications and supplies necessary in locating and evaluating new polling places and giving notice to voters.

Small Business Effect: None.

Analysis

Current Law: Each local board is required to designate polling places in each precinct that provide an environment suitable to the proper conduct of an election; are located as conveniently as practicable for the majority of registered voters assigned to that polling

place; except as otherwise authorized, are in public buildings; are in the precinct they serve, unless no suitable polling place can be found within the precinct; and whenever practicable, are selected and arranged to avoid architectural and other barriers that impede access or voting by elderly and physically disabled voters. A local board may pay for the use of a private building if no suitable public building is available.

Information specified and produced by State Board of Elections must be posted at each polling place before polls open, including:

- instructions relating to the availability of assistance to elderly and disabled voters;
- information regarding polling hours;
- instructions on how to vote, including how to cast a vote;
- instructions for mail-in registrants and first-time voters;
- general information on voting rights and instructions on reporting violations;
- information regarding provisional voting; and
- general information on federal and State laws regarding prohibitions on acts of fraud and misrepresentation.

Boundaries are set generally 100 feet from the entrance and exit of each polling place, beyond which electioneering is prohibited. Signs are posted to inform voters.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Wicomico County, Montgomery County, Maryland State Board of Elections, Department of Legislative Services

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