

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE

House Bill 1508  
Ways and Means

(Delegate G. Clagett)

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Municipal Corporations - Elections - Voting by Nonresident Property Owners

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This bill requires a municipal corporation in which more than 75% of the property is owned by persons who reside outside the municipal corporation to grant nonresident property owners the right to vote and participate in elections in the municipal corporation.

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Fiscal Summary

**State Effect:** Provided the nonresidential property owners voting list is maintained by the municipality, the bill would not directly affect State Board of Elections operations or finances.

**Local Effect:** A municipal corporation in which more than 75% of property is owned by nonresidents may experience increased expenditures to accommodate additional voters and possibly to create and maintain a separate voter registration list for nonresident voters.

**Small Business Effect:** None.

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Analysis

**Current Law:** The State Election Law generally does not apply to municipal elections. "Election" is defined under the State Election Law as not including a municipal election other than in Baltimore City, unless specifically provided. Municipal elections are governed primarily by each municipality's charter including the terms of office for officials and the days and times of year of elections.

State law does provide, however, for coordination of voter registration between municipal corporations and county election boards. Generally, a voter who resides in a municipal corporation is considered to be registered for elections in the municipal corporation if the voter is on the statewide voter registration list at an address within the municipal corporation. For those municipal corporations that require voter registration for municipal elections but do not already either utilize a voter registry supplied by the county board or utilize the county board to conduct its elections, must, six months prior to a municipal election, submit a plan to, and work with, the county board to define the format and specifications for the municipal corporation's voter registry, which is then provided to the municipal corporation by the county board at no cost.

A municipal corporation may maintain a supplemental voter registration list for individuals who are not registered with the county board, but who may otherwise be qualified to register to vote with the municipal corporation.

**Local Fiscal Effect:** Information is not readily available on how many municipal corporations have 75% of their property owned by nonresidents. The Maryland Municipal League does not maintain information on the percentage of property in each municipality that is owned by nonresidents. In the event a municipal corporation did qualify under the bill's 75% requirement, the increase in expenditures for the municipal corporation would depend primarily on the number of additional voters that would need to be accommodated in addition to the municipality's resident voters. The manner in which municipal corporations conduct elections varies. Some conduct elections independent of county boards, while some will reimburse county boards to conduct their elections for them. An increased number of voters therefore could result in increased costs for voting equipment, supplies, staff, and other expenses, or it could result in increased reimbursement costs paid to the county board.

A municipal corporation could also experience increased costs in the event it is necessary for the municipal corporation to maintain a supplemental voter registration list where it had not previously done so. It is not clear how significant these costs would be.

Ocean City advises that 81% of its property owners have non-Ocean City mailing addresses, which presumably translates into roughly the same percentage of property owners being nonresidents, and believes that the bill applies to Ocean City.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Town of Sykesville, City of Greenbelt, City of Hagerstown, City of Laurel, Montgomery County, Maryland Municipal League, Ocean City, Maryland State Board of Elections, Town of La Plata, Department of Legislative Services

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