

Department of Legislative Services
 Maryland General Assembly
 2007 Session

FISCAL AND POLICY NOTE

House Bill 826 (Delegate Barve, *et al.*)
 Ways and Means

Elections - Presidential Primaries - Unaffiliated Voters

This bill requires the State Board of Elections (SBE) to establish a procedure for voters who are not affiliated with a political party to express a preference for a candidate of any political party in a presidential primary. The expression of preference of an unaffiliated voter would not affect the selection of delegates to a nominating convention; would be for unofficial, informational purposes only; and would be reported separately from official results.

Fiscal Summary

State Effect: General fund expenditures could increase by at least \$35,000 in FY 2008 for programming, interface development, and testing to implement an “expression of preference” option for unaffiliated voters in the 2008 presidential primary. Future years reflect programming costs prior to the 2012 presidential primary.

(in dollars)	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	35,000	0	0	0	5,000
Net Effect	(\$35,000)	\$0	\$0	\$0	(\$5,000)

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

Local Effect: Local government expenditures in some jurisdictions could increase due to voter education costs in FY 2008 and 2012.

Small Business Effect: None.

Analysis

Current Law: Presidential primaries occur on the first Tuesday in March of a presidential election year. A principal political party (majority party and principal minority party) may choose to allow voters who are not affiliated with the party to vote in the party's primary election if the chairman of the party's State central committee notifies SBE at least six months before the date of the primary.

Any registered voter of a county is eligible to vote in a primary election to nominate board of education candidates, regardless of party affiliation or lack thereof. Seventeen counties have elected boards of education and Queen Anne's County is transitioning to an elected board.

Background: According to SBE, there are currently 440,520 unaffiliated registered voters in Maryland.

According to information from the National Conference of State Legislatures, updated in January 2005, nine states had open primary systems in which a voter could choose which primary to vote in privately, and the choice did not register the voter with the party. Twelve states had partially open primary systems in which a voter was generally required to publicly choose which primary to vote in or was registered with the party whose primary he/she chose to vote in. Fifteen states had closed primaries in which a voter was required to be registered with the party in order to vote in that party's primary, while 10 states, including Maryland, had partially closed primaries, allowing a party to choose to allow voters not registered with the party to participate in the party's primary.

State Expenditures: General fund expenditures would increase by \$35,000 in fiscal 2008 due to the cost of programming changes, interface development, and testing associated with creating an additional ballot style for unaffiliated voters in each county and ensuring that the "expressions of preference" are reported separately from the official results.

Local Expenditures: Local government expenditures could increase due to voter notification costs for jurisdictions that do not already have unaffiliated voters voting in presidential primaries for board of education races. Montgomery County, which has an elected board of education, advises a mailing is already sent to unaffiliated voters to which information would be added regarding the opportunity to express a preference for a presidential candidate, with no material fiscal impact. Baltimore City, however, which does not have an elected board of education, estimates its expenditures could increase by

\$30,000 in fiscal 2008 to notify unaffiliated voters of the opportunity to cast an “expression of preference” in the 2008 presidential primary.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Caroline County, Howard County, Maryland State Board of Elections, Baltimore City, Department of Legislative Services

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mll/jr

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