

Department of Legislative Services  
Maryland General Assembly  
2008 Session

FISCAL AND POLICY NOTE

House Bill 801  
Ways and Means

(Delegate Reznik)

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Election - Voter Registration at the Polling Place and Voting on Election Day

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This bill allows an individual to register to vote on election day at the polling place in the precinct in which the individual resides and to subsequently vote a regular ballot. In addition to completing a statewide voter registration application and making a specified oath, an individual must provide proof of residence in the precinct by one of various specified methods.

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Fiscal Summary

**State Effect:** General fund expenditures would increase to implement election day registration (EDR) prior to the 2008 general election, perhaps significantly. The full extent of any increase cannot be reliably estimated at this time.

**Local Effect:** Local government expenditures would increase to implement EDR, perhaps significantly. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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Analysis

**Current Law:** Voter registration is conducted continuously, but is closed from 9 p.m. on the twenty-first day preceding an election to the eleventh day after an election. A voter registration application that is mailed or received when registration is closed is accepted and retained, but does not become effective until registration reopens.

**Background:** EDR was available in seven states during the 2006 elections: Idaho; Maine; Minnesota; Montana; New Hampshire; Wisconsin; and Wyoming. Although a number of these states have a preelection deadline for registration by mail or at a voter registration agency, registration nonetheless is open on election day at each polling place. Montana, which first made EDR available during the November 2006 election, does not allow registration at each polling place, but a person may register and vote after the preelection deadline at a county elections office through the close of polls on election day.

Pursuant to Chapter 61 of 2006, in December 2006 the Office of the Attorney General and the State Board of Elections compiled a joint report on EDR. According to the report, EDR promises a higher voter turnout because of its appeal to younger voters, geographically mobile citizens, and late-interest voters. The report estimated that EDR could increase voter turnout by anywhere from 1% to 3%, likely would account for as much as 15% of total registration, and also likely would require two to three additional election judges at each polling place on election day. The report further noted that a constitutional amendment would be necessary in order to implement EDR in Maryland given that provisions in the Maryland Constitution contemplate a time interval between the close of voter registration and an election.

**State Fiscal Effect:** General fund expenditures would increase to implement EDR prior to the 2008 general election, perhaps significantly; however, the State Board of Elections advises it cannot determine the full extent of what would be needed to implement EDR and therefore associated costs cannot be reliably estimated at this time. SBE advises costs could include additional staff support to coordinate implementation, development of EDR training materials for election judges, potential reprogramming of the statewide voter registration database and epollbooks, and voter outreach efforts.

**Local Fiscal Effect:** Local government expenditures would increase to implement EDR due to a need for additional resources including additional election judges to process voter registration applications at polling places and election judge training prior to the 2008 general election. Legislative Services advises the full extent of the bill's impact on local governments cannot be reliably estimated, based on SBE's uncertainty of how EDR would be implemented, though the impact could be significant.

The joint report of the Office of the Attorney General and SBE (referenced above) noted that election officials in states that offer EDR reported adding polling place staff at each precinct, some of whom were responsible for registration only. The report estimates a need for two to three additional election judges at each polling place, though it is not clear that that level of additional staffing would be needed. Baltimore City, for example, indicated a need for only one to two additional election judges, but noted other potential

costs (copying, printing, and post-election staff time) relating to processing the voter registration applications. Baltimore City estimates the increase in costs would be at least \$196,800. Carroll County anticipates an increase in costs for additional election judges of \$10,000. Montgomery County, however, indicated that the effect EDR would have of reducing the number of provisional ballots cast would result in no increase in costs of elections in the county, presumably due to reduced staff time to process the provisional ballots after the election.

SBE advises election judge training related to EDR would be required prior to the 2008 general election, which could increase costs to local boards to the extent the training would exceed what is otherwise planned.

According to information compiled by SBE, in 2006, chief election judge salaries ranged from \$120 to \$300 with a median salary of \$175, and salaries for regular election judges ranged from \$110 to \$250 with a median salary of \$145. Compensation for training was generally in the range of \$25 in most counties (with some local boards considering the compensation for training as included in the judges' election day salary).

**Additional Comments:** Legislative Services notes the indication in the 2006 joint report of the Office of the Attorney General and SBE that EDR would require an amendment to the Maryland Constitution and that the bill only makes statutory changes. The fiscal impacts noted assume implementation of EDR as specified in the bill.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore City, Carroll County, Harford County, Montgomery County, Prince George's County, State Board of Elections, Maryland Department of Transportation, Department of Legislative Services

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