

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 693 (Senator Rosapepe, *et al.*)
Education, Health, and Environmental Affairs

Election Law - Maryland Student Voting Rights Act of 2009

This bill makes changes to State election law related to student voter registration at public higher education institutions, mailing of absentee ballots by local boards of elections, public notice regarding voting unit allocation among precincts, and electioneering lines for polling places at higher education institutions.

The bill takes effect July 1, 2009.

Fiscal Summary

State Effect: General fund expenditures may increase in FY 2010 and future years to implement requirements relating to the student voter registration procedures of public higher education institutions, though the extent of any increase will depend on the appropriation of funds. It is assumed other requirements of the bill will not significantly impact State finances. Revenues are not affected.

Local Effect: The bill is not expected to materially impact local government finances or operations. Any expenditures relating to the student voter registration procedures of public higher education institutions specified in the bill would be supported with State funding.

Small Business Effect: None.

Analysis

Bill Summary: Each public higher education institution in the State must develop a plan to promote student involvement in the electoral process, including a voter registration

drive at the start of the school year and designation of an individual at the institution to coordinate voter registration and voter education activities. The bill specifies that an institution must provide an individual with an opportunity to request a voter registration application at the same time that a student identification card is obtained. The bill also specifies procedures to be followed by the institutions in registering students to vote, the implementation of which is contingent on the appropriation of sufficient funds in the State budget for that purpose and adoption of regulations by the State Board of Elections (SBE).

A local board must send an absentee ballot, if an applicant qualifies to vote by absentee ballot, no later than the fifth day before an election, unless the ballots have not been received from the printer.

No later than five days before an election SBE must post on its web site the number of voting units each local board intends to allocate for each precinct and SBE's corresponding determination, in accordance with its regulations and guidelines, of the number of voting units the local board should allocate for each precinct.

An electioneering line established at a polling place at a higher education institution must be as near as practicable to 100 feet from the actual polling place within a building, rather than 100 feet from the entrance and exit of the building that are closest to the actual polling place.

SBE has to submit to the General Assembly, on or before December 31, 2009, specified reports on the implementation of the requirements under the bill relating to the student voter registration procedures of public higher education institutions and the sending of absentee ballots by local boards.

Current Law:

Student Voter Registration

Public higher education institutions in the State must give students the opportunity to request a voter registration application when enrolling, registering, or paying for coursework, and provide an application if requested.

Mailing of Absentee Ballots to Voters

If an applicant qualifies to vote by absentee ballot, the local board has to send a ballot as soon as practicable after receipt of the applicant's request, or, if the ballots have not been received from the printer, as soon as practicable after the local board receives the ballots.

Voting Unit Requirements

SBE regulations applicable to the current voting system require that:

- for a regularly scheduled primary or general election, each local board generally must provide each polling place with the greater of one voting unit for each 200 registered voters, or two voting units per polling place;
- for a special election, the local board determines the number of voting units to be provided in each polling place; and
- each polling place must contain at least one voting unit with accessible voting equipment.

Electioneering Line

An electioneering line, delineated by posted signs reading “No Electioneering Beyond this Point,” must be located as near as practicable to 100 feet from the entrance and exit that are closest to the part of a building in which voting occurs, taking into account specified considerations.

State Fiscal Effect: The bill’s requirements related to the student voter registration requirements of public higher education institutions are expected to be handled with existing resources in a number of cases; however, some institutions may require additional resources as a result of the requirements. While not required by the bill, SBE recommends implementing these requirements through electronic interfaces between the institutions and the State’s voter registration database. Costs associated with that method of implementation may be significant.

As stated in the bill, the implementation of the requirements, and consequently, any increase in State expenditures, is contingent on the appropriation of sufficient funds in the State budget for public higher education institutions, SBE, and the local boards to implement the requirements.

Additional Information

Prior Introductions: SB 624 of 2008 received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. HB 1616 was referred to the House Rules and Executive Nominations Committee and no further action was taken.

Cross File: None.

Information Source(s): State Board of Elections, Maryland Higher Education Commission, Garrett County, Howard County, Montgomery County, Baltimore City Community College, Morgan State University, St. Mary's College, University System of Maryland, Department of Legislative Services

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