

Department of Legislative Services  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

Senate Bill 327 (Senator Colburn)  
Education, Health, and Environmental Affairs

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**Election Law - Runoff Election**

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This bill specifies that a candidate may not be nominated for, or elected to, public office in any election governed by State law unless the candidate receives a majority of the votes cast to fill the nomination or public office. If no candidate receives a majority of the votes cast, a runoff election must be held between the candidates receiving the two highest numbers of votes. Unless postponed by a court order, the runoff is held on the twenty-first day after a primary or special primary election and on the twenty-eighth day after a general or special election. The bill specifies procedures and rules applicable to runoff elections and the State Board of Elections (SBE) must adopt regulations to implement the bill.

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**Fiscal Summary**

**State Effect:** General fund expenditures may increase by \$1.2 million, per runoff election, in the event a statewide runoff is necessary. Revenues are not affected.

**Local Effect:** Local government expenditures may increase significantly in the event a runoff election is necessary. Local revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** There is no existing requirement for candidates to receive a majority of all votes cast in an election.

**State Fiscal Effect:** In the event a runoff election is necessary following special or regular elections, general fund expenditures may increase significantly, accounting for the possibility of a statewide runoff election. General fund expenditures may also increase in fiscal 2010 and future years, regardless of whether a runoff election is held, due to additional printing and supplies costs incurred to account for the possibility of a runoff.

With a transition to a paper-based voting system (that has not yet been procured) expected prior to the 2010 elections, it is difficult to estimate the additional costs that will be incurred to conduct a runoff election once a new system is implemented. SBE, however, indicates that increased expenditures would account for the cost of printing ballots, contractual services, staffing, supplies, and other printing costs. SBE advises the cost of printing ballots and contractual services for a statewide runoff election could total approximately \$2.4 million for each runoff election based on current cost projections. These costs would be split by the State and counties pursuant to a State law requirement regarding voting system costs (Chapter 564 of 2001).

*For illustrative purposes*, SBE estimates the printing of ballots will cost approximately \$1.4 million. This estimate assumes one ballot would be printed for every registered voter, at \$0.40 per ballot (based on current absentee and provisional ballot costs) and is based on the number of registered voters as of December 31, 2008. In addition, SBE estimates that contractual services for a runoff election would cost approximately \$1.0 million.

**Local Fiscal Effect:** In the event a runoff election is necessary following special or regular elections, local government expenditures are expected to increase significantly to conduct the election. Counties will share half of the ballot printing and voting system-related contractual services costs mentioned above under State Fiscal Effect and will incur additional costs conducting an election such as election judge compensation, communication, postage and printing, polling place rental, and additional contractual services costs.

Based on cost estimates provided by local boards of elections, the costs of a runoff election would vary considerably depending on the jurisdiction. Montgomery County and Baltimore City indicate costs for a runoff election could be as high as \$1.4 million and \$6.0 million, respectively. In comparison, less populated jurisdictions such as Harford County, Wicomico County, and Allegany County provided estimates of \$523,200, \$202,500, and \$100,000, respectively.

## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Allegany, Harford, Montgomery, and Wicomico counties, Baltimore City, State Board of Elections, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2009  
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Analysis by: Scott D. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510