

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 459
Ways and Means

(Delegate McConkey, *et al.*)

Election Law - Polling Places in Privately Owned or Leased Buildings - Rules
and Regulations

This bill specifies that a local board of elections must require a privately owned or leased building designated as a polling place to post informational materials required in all polling places and to adhere to electioneering laws applicable to all polling places. The owner or operator of a privately owned building used as a polling place may not impose requirements or regulations in addition to those adopted by the State Board of Elections or local board.

Fiscal Summary

State Effect: None. The bill does not directly affect State operations or finances.

Local Effect: Any loss of polling place sites as a result of the bill's restrictions is not expected to materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law: Polling places generally must be located in a public building, though if suitable space in a public building is not available, a local board may pay a reasonable fee to use a private building.

Various informational materials must be posted in each polling place, including a specimen ballot for the precinct, instructions relating to the availability of assistance to elderly and disabled voters, other information and instructional material regarding the

voting process, and information on voting rights and prohibitions against acts of fraud and misrepresentation.

Under the electioneering laws referenced in the bill, an electioneering line must be established at each polling place, as near as practicable to 100 feet from the entrance and exit, delineated by signs stating “No Electioneering Beyond this Point.”

Additional Information

Prior Introductions: HB 280 of 2006 received a hearing in the House Ways and Means Committee but no further action was taken.

Cross File: None.

Information Source(s): Baltimore City, Harford County, Montgomery County, Wicomico County, State Board of Elections, Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2009
mlm/hlb

Analysis by: Scott D. Kennedy

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