

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

House Bill 859  
Ways and Means

(Delegate Smigiel, *et al.*)

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**Election Law - Watchers - Application of State Law to Municipal Elections**

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This bill specifies that provisions of State law concerning watchers apply to a municipal election and a local law concerning watchers in a municipal election applies only to the extent it does not conflict with such provisions.

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**Fiscal Summary**

**State Effect:** General fund expenditures may increase to conduct training sessions for municipalities to ensure understanding of the law, to the extent necessary. The State Board of Elections (SBE) estimates a cost of \$650 per training session. These costs will be paid by either SBE, local boards of elections, or the municipalities. Revenues are not affected.

**Local Effect:** Local government expenditures may increase due to the cost of any necessary training sessions. Revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** State election law generally does not apply to municipal elections other than in Baltimore City.

State election law allows for challengers and watchers who are registered voters and designated by SBE; a local board; a candidate; a political party; or any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot, to be present at a polling place.

Challengers and watchers may enter a polling place a half hour before polls open, enter or be present at the polling place at any time when the polls are open, and remain in the polling place until the polls are closed and election judges leave the polling place. A challenger or watcher is positioned near the election judges and inside the voting room, so as to see and hear each person as the person offers to vote, and may maintain a list of registered voters who have voted, or individuals who have cast provisional ballots. Challengers and watchers generally may not interact with voters in the polling place or handle any original election documents.

Other provisions apply, including that an election judge must protect a challenger or watcher in the exercise of the rights of a challenger or watcher and if election results are produced in the polling place, watchers must be admitted to hear the announced results.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State Board of Elections, Allegany County, Harford County, City of College Park, City of Rockville, Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2009  
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