

Department of Legislative Services
2010 Session

FISCAL AND POLICY NOTE

House Bill 1337
Ways and Means

(Delegate Hixson, *et al.*)

Election Law - Polling Places - Electioneering Boundaries

This bill reduces the distance from the entrance and exit of a polling place at which an electioneering boundary must be established (as near as practicable to) at each polling place, from 100 feet to 25 feet.

The bill takes effect June 1, 2010.

Fiscal Summary

State Effect: The bill's changes can be handled with existing resources.

Local Effect: Local government expenditures may increase to hire additional election judges, revise polling place diagrams/maps, purchase new electioneering boundary signs, and/or to pay higher polling place rental fees or move/consolidate polling places if private polling places become no longer available as a result of the bill's change. Potential expenditure increases cannot be reliably estimated and will vary by county.

Small Business Effect: None.

Analysis

Current Law: An electioneering boundary 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." Election judges from each principal political party, acting jointly, post the signs delineating the boundary around the entrance and exit of the building that are closest to the part of the building in which voting occurs.

Local Fiscal Effect: Local government expenditures may increase due to the reduced distance of the electioneering boundary from the entrance and exit of a polling place for a number of reasons. The extent to which expenditures may increase for counties, however, cannot be reliably estimated at this time and will vary by county. Potential causes of increased expenditures (not necessarily applicable in all counties) include:

- a potential need for an additional election judge for polling places to ensure adherence to the 25 foot boundary by persons engaging in electioneering and to minimize confrontations (resulting in additional election judge and training costs). Harford County, for example, advises that it was able to reduce its complement of election judges when the electioneering boundary was increased from 25 to 100 feet;
- a potential need to revise diagrams/maps of polling place sites that many counties use (to provide to election judges, technicians, transportation personnel, election day support personnel, board members, and polling place evaluation teams) to reflect new electioneering boundaries, which could involve travel to the sites and costs for development, duplication, and distribution of new diagrams/maps;
- a potential need for new free-standing signs to be purchased (for counties that do not already have them) to delineate the boundary to the extent, at 25 feet, there are not fences or trees to attach current signs to; and
- a possibility that owners of private buildings used as polling places may charge higher fees for use of a building or no longer allow the building to be used as a polling place due to concerns related to disruption of the property, requiring sites to be moved or consolidated (resulting in voter notification and potentially other costs).

Additional Information

Prior Introductions: HB 671 of 2009 received a hearing in the House Ways and Means Committee, but no further action was taken.

Cross File: SB 573 (Senators Madaleno and Raskin) - Education, Health, and Environmental Affairs.

Information Source(s): State Board of Elections; Anne Arundel, Calvert, Carroll, Cecil, Frederick, Harford, Howard, Montgomery, and St. Mary's counties; Baltimore City; Department of Legislative Services

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mpc/mwc

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