

Department of Legislative Services
2011 Session

FISCAL AND POLICY NOTE
Revised

House Bill 787

(Delegate Kramer, *et al.*)

Ways and Means

Education, Health, and Environmental Affairs

Election Law - Subsequent Election Absentee Ballot List

This bill allows a voter who receives an absentee ballot to request, in the written materials accompanying the absentee ballot, an absentee ballot for the next subsequent election. A voter who makes such a request is placed on a subsequent election absentee ballot list and sent an absentee ballot for the regularly scheduled primary and general election immediately following the request and any intervening special elections. A voter is removed from the subsequent election absentee ballot list if the voter is removed from the statewide voter registry in accordance with State law and a voter who requests an absentee ballot for the next subsequent election must notify the local board of elections if the ballot is to be sent to an address that is different than the address to which the voter's previous absentee ballot was sent.

This bill takes effect July 1, 2011.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: Local government expenditures may increase due to additional printing and postage costs to the extent the subsequent election absentee ballot list increases the number of absentee ballots sent to voters by the local boards of elections. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: An individual may vote by absentee ballot except to the extent preempted by federal law. An absentee ballot application generally must be received by a local board not later than the Tuesday prior to an election. Absentee ballots are sent to voters as soon as practicable after the receipt and review of an application. A registered voter or the voter's duly authorized agent can also apply for an absentee ballot in person at the local board office through the closing of the polls on election day.

Background: The National Conference of State Legislatures (NCSL) indicates that absentee voting procedures vary among the states, with many, including Maryland, allowing for "no-excuse" absentee voting, where any registered voter can vote absentee, and other states allowing absentee voting only under certain circumstances. According to NCSL, Arizona, California, Colorado, Hawaii, Montana, New Jersey, Utah, Washington, and the District of Columbia allow *permanent* no-excuse absentee voting, allowing any voter to request to receive an absentee ballot automatically for all future elections. In addition, Oregon and Washington (with the exception of one county) conduct all elections by mail.

Maryland does not currently offer permanent absentee voting. SBE regulations specify that an absentee ballot application only applies to the elections specified by the voter and must be limited to the upcoming primary and general election and any special election within the calendar year in which the primary and general election occurs. The absentee ballot application for the upcoming Baltimore City elections allows a voter to request an absentee ballot for the primary election, general election, or both.

Local Fiscal Effect: Local boards of elections may incur additional printing and postage costs to the extent the subsequent election absentee ballot list increases the number of absentee ballots sent to voters by local boards. *For illustrative purposes*, in Frederick County, the board of elections' costs to send out absentee ballots are, at a minimum, approximately \$1.25 per ballot, accounting for the costs of postage, envelopes, and printing of ballots and other included materials.

Some changes to the statewide voter registration database are expected to be needed to manage subsequent election absentee ballot requests, but are anticipated to be absorbable within ongoing maintenance costs of the database.

Any additional costs for local boards to provide absentee voters the opportunity to make a subsequent election absentee ballot request in the written materials accompanying an absentee ballot are assumed to be minimal.

Additional Information

Prior Introductions: None.

Cross File: SB 409 (Senator Raskin, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): State Board of Elections; Baltimore City; Baltimore, Charles, Frederick, and Montgomery counties; National Conference of State Legislatures; Department of Legislative Services

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Analysis by: Scott D. Kennedy

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