

Department of Legislative Services
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 409 (Senator Raskin, *et al.*)
Education, Health, and Environmental Affairs

Elections - Permanent Absentee Ballot List

This bill establishes a permanent absentee ballot list and allows any voter to apply for permanent absentee ballot status and be placed on the permanent absentee ballot list. A voter on the list is sent an absentee ballot each time there is an election. The bill also establishes reasons for which a voter must be removed from the list, including if the voter fails to return an absentee ballot for two consecutive statewide general elections. Lastly, the bill requires a voter who has permanent absentee ballot status to notify the local board of elections of a change in the address to which a permanent absentee ballot is to be 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 increase in FY 2012 and possibly in FY 2013 by a significant amount due to software development costs and may also increase due to additional personnel, printing, and postage costs. Software development costs may total up to \$175,000 statewide. Revenues are not affected. **This bill may impose a mandate on a unit of local government.**

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: According to the National Conference of State Legislatures, Arizona, California, Colorado, Hawaii, Montana, New Jersey, Utah, Washington, and the District of Columbia allow permanent absentee voting, enabling a voter to request to receive an absentee ballot automatically for all elections. In addition, Oregon and Washington (with the exception of one county) conduct all elections by mail.

Local Fiscal Effect: Local government expenditures increase in fiscal 2012 and possibly in fiscal 2013 due to costs of software development for the statewide voter registration database. Certain local boards of elections may also incur personnel costs to administer the permanent absentee ballot list and local board printing and postage costs could increase.

The State Board of Elections (SBE) indicates that changes will need to be made to the statewide voter registration database to allow election officials to classify voters as permanent absentee voters and then manage the process of issuing absentee ballots to those voters at each election. SBE estimates that such changes will cost \$175,000, which will be billed to the local boards.

For illustrative purposes, if \$175,000 in increased costs is allocated among the counties, Montgomery County (representative of a large county) expenditures, for example, would increase by approximately \$29,400, while Cecil County (representative of a smaller county) expenditures would increase by approximately \$3,100.

SBE also indicates that the software development cannot begin until January 2012, requiring local boards of elections to manually track requests for permanent absentee status and then enter the requests into the statewide voter registration database once the software development has been completed. At least one local board has indicated the possibility of additional personnel costs to administer the permanent absentee ballot list and printing and postage costs may also increase to the extent the permanent absentee ballot list increases the overall number of absentee ballots sent out.

Additional Information

Prior Introductions: SB 293 of 2010 received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. SB 733 and HB 523 of 2009 received hearings in the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee, respectively, but no further action was taken on either bill.

Cross File: HB 787 (Delegate Kramer, *et al.*) - Ways and Means.

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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mc/hlb

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