

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1249 (Delegate Hucker, *et al.*)
Rules and Executive Nominations

General Assembly - Members - Age of Eligibility for Service

This proposed constitutional amendment lowers the minimum age of eligibility for State senators from 25 to 18, and lowers the minimum age of eligibility for State delegates from 21 to 18. It also makes stylistic changes, making references to State senators and delegates in the constitution gender neutral.

Fiscal Summary

State Effect: None. It is assumed that the potential for increased costs to include any constitutional amendments proposed by the General Assembly on the ballot at the next general election will have been anticipated in the State Board of Elections' budget.

Local Effect: None. It is assumed that the potential for increased costs to notify voters of any constitutional amendments proposed by the General Assembly, and to include any proposed constitutional amendments on the ballot at the next general election, will have been anticipated in local boards of elections' budgets.

Small Business Effect: None.

Analysis

Current Law: To be eligible to serve as a Maryland State senator, an individual must be at least 25 years old on the date of election; the minimum age for a State delegate is 21 on the date of election. These eligibility requirements for senators and delegates have remained unchanged since 1776.

Background: The minimum age of eligibility for state senators and representatives varies among the states, even among the four states that neighbor Maryland. For senators, the minimum age of eligibility is 27 in Delaware, 25 in West Virginia and Pennsylvania, and 21 in Virginia. For state representatives, the minimum age of eligibility is 24 in Delaware, 21 in Virginia and Pennsylvania, and 18 in West Virginia. Of the four neighboring states, only Virginia has the same minimum age of eligibility (21) for both senators and representatives.

The minimum age to serve in the U.S. Congress is 25 for representatives and 30 for senators.

State Fiscal Effect: State costs of printing absentee and provisional ballots may increase to the extent inclusion of the proposed constitutional amendment on the ballot at the next general election would result in a need for a larger ballot card size or an additional ballot card for a given ballot (the content of ballots varies across the State, depending on the offices, candidates, and questions being voted on). Any increase in costs, however, is expected to be relatively minimal, and it is assumed that the potential for such increased costs will have been anticipated in the State Board of Elections' budget. Pursuant to Chapter 564 of 2001, the State Board of Elections shares the costs of printing paper ballots with the local boards of elections.

Local Fiscal Effect: Local boards of elections' printing and mailing costs may increase to include information on the proposed constitutional amendment with specimen ballots mailed to voters prior to the next general election and to include the proposed amendment on absentee and provisional ballots. It is assumed, however, that the potential for such increased costs will have been anticipated in local boards of elections' budgets.

Additional Information

Prior Introductions: HB 648 of 2011, a similar bill, received an unfavorable report from the House Rules and Executive Nominations Committee. Its cross file, SB 47, received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Cross File: None.

Information Source(s): National Conference of State Legislatures, Department of Legislative Services

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