

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 242
Ways and Means

(Delegate Cardin, *et al.*)

Election Law - Registration and Voting at Early Voting Centers

This bill allows an individual to register to vote at an early voting center during early voting and to vote a provisional ballot at the time the individual applies to become a registered voter.

The bill takes effect July 1, 2013.

Fiscal Summary

State Effect: General fund expenditures may increase to the extent additional provisional ballots are needed as a result of voter registration being available during early voting. Under one set of assumptions, State costs increase by approximately \$41,300.

Local Effect: Local government expenditures are expected to generally increase for additional election judges and supplies and materials. Costs may also increase for additional provisional ballots and staff overtime to process the ballots. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: An individual may apply to become a registered voter at an early voting center during early voting by (1) appearing at an early voting center in the county where the individual resides; (2) completing the statewide voter registration application; and (3) providing proof of residence in the county. The bill establishes various types of documentation that may be used to prove residence and also allows a person to execute

an affidavit to prove residence that is signed by the registrant and an individual who is a registered voter and is authorized to vote at the early voting center.

An individual who satisfies the requirements established by the bill must be allowed to vote a provisional ballot at the time the individual applies to become a registered voter. Provisional ballots cast by individuals who apply to register to vote at an early voting center must be separated and held apart from other provisional ballots. A provisional ballot is counted if the local board determines that the individual is qualified to become a registered voter.

Current Law: Voter registration is conducted continuously, but is closed from 9 p.m. on the twenty-first day preceding an election until the eleventh day after that election. In general, a voter registration application that is mailed or submitted when registration is closed is accepted and retained but does not become effective until registration reopens. An individual may apply to become a registered voter through a number of means including (1) visiting an election board office; (2) by mail; (3) when applying for services at a voter registration agency (specified public and nongovernmental agencies designated by SBE, including agencies providing public assistance and services for individuals with disabilities, public higher education institutions, and military recruiting offices); (4) when applying to the Motor Vehicle Administration for issuance, renewal, or modification of a driver's license or identification card; or (5) through SBE's online voter registration system.

At the polls on election day and during early voting, if a voter's name is not found on the election register or inactive list, the voter is referred to vote a provisional ballot. The provisional ballot is only counted if the local board later determines that the individual is registered in the State.

Background: Same-day voter registration allows individuals an opportunity to register to vote or correct their existing registration after the voter registration deadline. According to the National Conference of State Legislatures (NCSL), a small number of states – Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, North Carolina, Ohio, Wisconsin, and Wyoming – and the District of Columbia allow for same-day registration in some form. North Carolina and Ohio only allow for same-day registration during early voting. Two additional states, California and Connecticut, have enacted same-day registration but have yet to implement it. NCSL cites increased voter turnout and convenience for voters as being among the advantages of same-day registration but notes that it can be costly to implement and must be adopted along with safeguards to prevent fraud.

State Fiscal Effect: General fund expenditures may increase to the extent additional provisional ballots are needed as a result of voter registration being available during early

voting. The State shares ballot printing costs with the counties. *For illustrative purposes*, if it is assumed that the total number of provisional ballots ordered for an election will need to increase by 50%, State costs increase by approximately \$41,300 based on a per ballot cost of \$0.35, split between SBE and the local boards of elections, and the approximate number of provisional ballots ordered for the 2012 primary election.

Local Fiscal Effect: Local government expenditures are expected to generally increase during early voting for additional election judge staff to handle voter registration during early voting and associated supplies and materials. Based on 2012 early voting election judge costs, if it is assumed that those costs would increase by 10% for additional election judges to handle voter registration, local government costs statewide increase by a total of \$67,200 for a primary election and by \$85,300 for a general election.

As mentioned above, depending on the extent to which individuals utilize voter registration during early voting, provisional ballot costs could also increase, as well as local board of elections staff overtime to process additional ballots. Frederick County, for example, indicates that its additional provisional ballot costs could range from \$3,000 to \$5,000 for each of the 2014 primary and general elections, and its additional overtime costs could range from \$5,000 to \$8,000 for each of those elections.

Additional Information

Prior Introductions: None.

Cross File: SB 519 (Senator Raskin, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): State Board of Elections; Allegany, Anne Arundel, Baltimore, Carroll, Caroline, Cecil, Charles, Dorchester, Frederick, Garrett, Harford, Kent, Montgomery, Prince George's, St. Mary's, Somerset, Talbot, Washington, and Worcester counties; Baltimore City; National Conference of State Legislatures; Department of Legislative Services

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