

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 218
Ways and Means

(Delegate Morhaim, *et al.*)

Election Law - Days of Early Voting

This bill shortens the early voting period before a primary or general election from eight to four days and moves the early voting period closer to election day so that it runs from the Thursday before the election through the Sunday before the election.

The bill takes effect June 1, 2015.

Fiscal Summary

State Effect: General fund expenditures may increase by a significant amount beginning in FY 2016, depending on how the bill is implemented. Under one method, total expenditures to be shared by the State and local boards of elections include \$2.5 million for initial computer networking costs and an additional \$1.5 million per election, for telecommunications and technical support. An alternative method, while requiring local expenditures, does not materially affect State finances.

Local Effect: Under the networking method of implementation, county expenditures may increase overall in FY 2016 due to the initial costs of networking but decrease in future years due to cost savings from the shorter early voting period. Under an alternative method of implementation, county expenditures decrease by a net amount of over \$900,000 in FY 2016 and future years when a primary election is held and by over \$1.2 million in fiscal years when a general election is held.

Small Business Effect: Minimal.

Analysis

Current Law/Background: Each early voting center is open for voting beginning the second Thursday before a primary or general election through the Thursday before the election. For further background information on early voting see the attached **Appendix – Early and Absentee Voting**.

Under Chapters 157 and 158 of 2013, the State Board of Elections (SBE) was required to conduct a detailed analysis of options and administrative requirements for extending the early voting period to the Sunday before election day. SBE contracted with the University of Baltimore's Schaefer Center for Public Policy to conduct this study as well as another study required under Chapters 157 and 158 on voting wait times. The Schaefer Center's report ([*Voting and the Administration of Elections in Maryland*](#), January 15, 2014) describes the process that the local boards of elections and SBE go through between the end of early voting and election day to update the information in election day epollbooks with those who voted early and deliver the epollbooks to the election day polling places. According to the report, if early voting were to end on the Sunday before election day, managing the same process in a much shorter period of time would be very difficult for smaller jurisdictions and nearly impossible for larger jurisdictions.

The report presents two options to handle providing election day polling places with information on voters that already voted during early voting, if early voting were to run through the Sunday before election day:

- (1) Network election day polling places with SBE's central database server to allow for the election day epollbooks to have access to updated voter information without the time-consuming process of updating information on each epollbook (the report estimates the cost of this option would be \$2.5 million for the initial build-out and an additional \$1.5 million for each election for telecommunications costs and additional technical support personnel).
- (2) Forego updating election day epollbooks but provide polling places with a printed list of early voters and late absentee voters that would be used to "pre-check" voters at polling places prior to being checked in on an epollbook to filter out any voters that had already voted early (the report estimates the cost of this option would be \$250,000 each election for an additional "pre-check" election judge at each of the 1,100 polling places with more than 1,000 voters on election day).

State Fiscal Effect: To the extent the option presented in the Schaefer Center report of networking election day polling places with SBE's central database server is undertaken for the 2016 and future elections, State general fund expenditures may increase significantly. As mentioned above, the Schaefer Center report estimated this option would

cost \$2.5 million for the initial build-out of the network and an additional \$1.5 million per election for telecommunication costs and additional technical support personnel. It is not clear at this time how these costs would be allocated among the State and local boards of elections. Alternatively, if printed lists of early voters and late absentee voters are used to “pre-check” voters at polling places in place of the networking, State finances are not materially affected. The reduction in the number of days of early voting also does not materially affect State finances.

Local Fiscal Effect: To the extent the option presented in the Schaefer Center report of networking election day polling places with SBE’s central database server is undertaken for the 2016 and future elections, county expenditures may increase initially in fiscal 2016 due to the initial costs of the networking (partially offset by reduced early voting costs due to the shorter early voting period) but decrease in future years due to the shorter early voting period. For example, if the initial and ongoing networking costs (\$2.5 million and \$1.5 million, respectively) are split equally between the State and the counties, county expenditures increase collectively in fiscal 2016 by approximately \$850,000, but subsequently decrease by over \$400,000 in fiscal years when a primary election is held and by over \$750,000 in fiscal years when a general election is held.

Alternatively, if printed lists of early voters and late absentee voters are used to “pre-check” voters at polling places in place of the networking described above, at a collective cost of \$250,000 annually, county expenditures decrease by a net amount of over \$900,000 in fiscal 2016 and future years when a primary election is held and by a net amount of over \$1.2 million in fiscal years when a general election is held.

These estimates are based on early voting cost information collected from local boards of elections following the 2012 elections, adjusting for subsequent changes in the early voting law and for inflation. The estimate only accounts for savings on costs of running the number of early voting centers mandated by law based on the number of registered voters in each county (currently 59 centers).

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Carroll, Harford, Montgomery, Queen Anne’s, and St. Mary’s counties; Maryland Association of Counties; Department of Legislative Services

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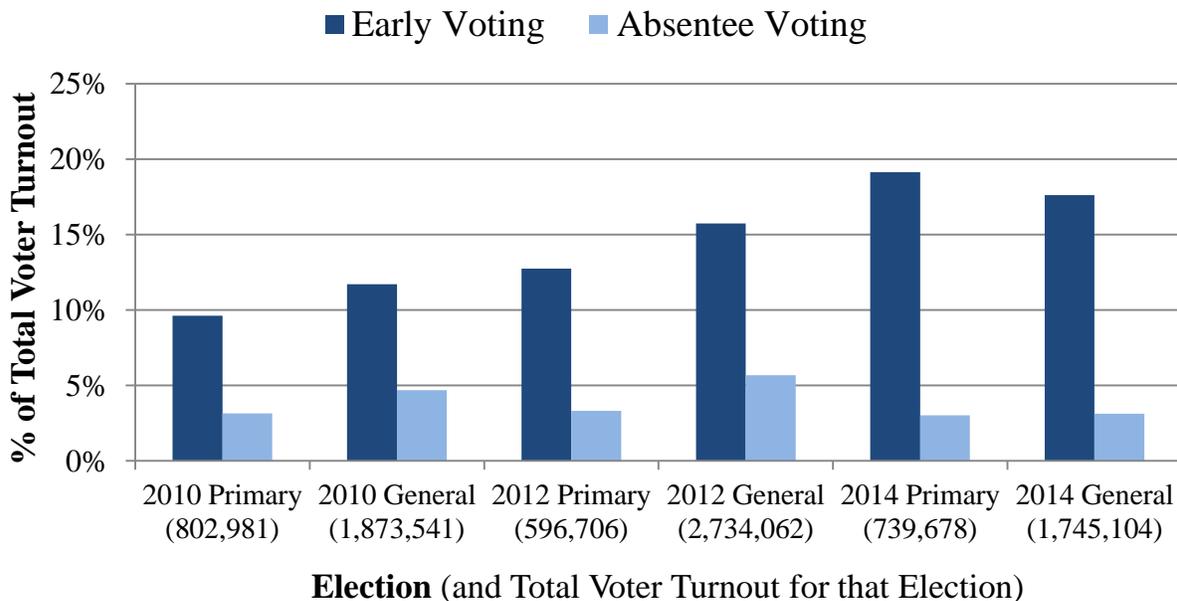
Appendix – Early and Absentee Voting

In Maryland

Maryland voters have the option of voting at an early voting center prior to election day or by absentee ballot, as alternatives to voting at a polling place on election day. In-person early voting at early voting centers was first implemented in 2010 and “no excuse” absentee voting (not requiring a reason that a voter cannot vote in person) was first allowed in 2006.

Exhibit 1 shows that, as a percentage of overall turnout in the 2010 through 2014 elections, use of early voting has been generally increasing, from just under 10% in the 2010 primary election to over 15% in recent elections, and use of absentee voting has been relatively consistent, between 3% and 6%.

Exhibit 1
Maryland Early and Absentee Voting Turnout
2010-2014



Source: State Board of Elections; Department of Legislative Services

There were additional early voting centers and a longer early voting period for the 2014 elections pursuant to Chapters 157 and 158 of 2013. **Exhibit 2** and **Exhibit 3** show the changes made by Chapters 157 and 158. The number of early voting centers in each county for the 2014 elections is shown in **Exhibit 4**. A voter may vote at any early voting center in the voter's county of residence. In addition, pursuant to Chapters 157 and 158, an individual will be able to both register to vote and vote at an early voting center beginning in 2016.

Chapters 157 and 158 also expanded and clarified the methods by which a voter may request and receive an absentee ballot. An absentee ballot must be requested in writing (there are State and federal forms that can be used) or, pursuant to Chapters 157 and 158, a request can be submitted online through the State Board of Elections website. The available methods for a voter to receive an absentee ballot are (1) by mail; (2) by facsimile transmission; (3) through the Internet; or (4) by hand during an in-person transaction. To return an absentee ballot, a voter may either mail in the completed ballot, postmarked on or before election day, or deliver it to the local board of elections in person by the close of polls on election day.

In Other States

Research by the National Conference of State Legislatures (NCSL) indicates that 33 states and the District of Columbia offer in-person early voting, and 27 states and the District of Columbia permit no excuse absentee voting. In addition, Colorado, Oregon, and Washington conduct all elections by mail.

The timing and length of early voting periods varies among the early voting states. According to NCSL, the average starting time for early voting, across the 33 states, is 22 days before an election. NCSL indicates that the average length of early voting periods across the states is 19 days and early voting typically ends just a few days before election day, somewhere between the Thursday and the Monday before election day.

Exhibit 2
Early Voting Centers

Prior to Chs. 157/158		Under Chs. 157/158	
Registered Voters <u>in a County</u>	Early Voting <u>Centers</u>	Registered Voters <u>in a County</u>	Early Voting <u>Centers*</u>
< 150,000	1	< 125,000	1
150,000-300,000	3	125,000-300,000	3
> 300,000	5	300,000-450,000	5
		> 450,000	8

*In addition to these required centers, each county may establish one additional early voting center if the State Board of Elections, in collaboration with the local board of elections, and the governing body of the county agree to establish an additional center.

Exhibit 3
Early Voting Days and Hours

Prior to Chs. 157/158		Under Chs. 157/158
<u>2010 Elections</u>	<u>2012 Elections</u>	<u>2014 and Future Elections</u>
<i><u>Days (6)</u></i>	<i><u>Days (6)</u></i>	<i><u>Days (8)</u></i>
Second Friday before the election through Thursday before the election, excluding Sunday	Second Saturday before the election through Thursday before the election	Second Thursday before the election through Thursday before the election
<i><u>Hours</u></i>	<i><u>Hours</u></i>	<i><u>Hours</u></i>
10 a.m.-8 p.m. (each day)	10 a.m.-8 p.m. (Saturday; Monday-Thursday) 12 noon-6 p.m. (Sunday)	Presidential general election: 8 a.m.-8 p.m. (each day) All other elections: 10 a.m.-8 p.m. (each day)

Exhibit 4
Early Voting Centers in Each County

Jurisdiction	Registered Voters (December 2013)	Early Voting Centers in 2012	Early Voting Centers in the 2014 General Election*
Montgomery	625,030	5	9
Prince George's	567,823	5	8
Baltimore	512,686	5	8
Baltimore City	376,738	5	6
Anne Arundel	351,794	5	5
Howard	194,938	3	3
Harford	162,170	1	4
Frederick	147,538	1	3
Carroll	113,430	1	1
Charles	98,353	1	2
Washington	88,336	1	1
St. Mary's	64,148	1	1
Cecil	61,087	1	1
Calvert	59,606	1	1
Wicomico	58,216	1	1
Allegany	42,223	1	1
Worcester	36,758	1	1
Queen Anne's	32,278	1	2
Talbot	25,705	1	1
Dorchester	20,475	1	1
Garrett	19,001	1	1
Caroline	18,463	1	1
Somerset	13,160	1	1
Kent	12,652	1	1
Total	3,702,608	46	64

*There were 63 early voting centers for the 2014 primary election. One center was added, in Charles County, prior to the general election.