Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 237 (Delegate Washington)

Ways and Means   Education, Health, and Environmental Affairs

Election Law – Early Voting Centers – Establishment

This bill authorizes all counties, rather than only counties with less than 200,000 registered voters, to establish one additional early voting center beyond the number required to be established, if the State Board of Elections (SBE), in collaboration with the local board of elections, and the governing body of the county agree to establish an additional early voting center.

Fiscal Summary

State Effect: To the extent counties use the authority under the bill, general fund expenditures increase by approximately $5,000 to $8,000 annually per additional early voting center established. Revenues are not affected.

Local Effect: To the extent counties use the authority under the bill, local government expenditures increase by approximately $45,000 to $85,000 annually per additional early voting center established. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Each county is required to have a certain number of early voting centers, based on the number of registered voters in the county, as shown in **Exhibit 1**. Pursuant to SBE regulations, the number of registered voters is determined as of eight months prior to the primary election. Counties with less than 200,000 registered voters may establish one additional early voting center if SBE, in collaboration with the local board of elections, and the governing body of the county agree to establish an additional center.

Exhibit 1
Required Early Voting Centers

Registered Voters In a County	Early Voting Centers
<125,000	1
125,000-200,000	3
200,000-300,000	4
300,000-450,000	7
>450,000	11

Background: Early voting was first implemented in 2010 and was expanded under Chapters 157 and 158 of 2013 and Chapter 288 of 2016. There were 79 early voting centers for the 2018 general election. The early voting period runs from the second Thursday before the election through the Thursday before the election. A voter may vote at any early voting center in the voter's county of residence.

No later than six months before a primary election, SBE, in collaboration with the local board in each county, must designate each early voting center in that county.

Early voting centers are open, in a presidential general election, during the hours between 8 a.m. and 8 p.m. each early voting day. In all other elections, early voting centers are open during the hours between 10 a.m. and 8 p.m. each early voting day.

For further background information on early voting see the attached **Appendix – Early and Absentee Voting**.

State and Local Fiscal Effect: To the extent counties use the authority under the bill, general fund expenditures increase by approximately $5,000 to $8,000 annually for each additional early voting center established, due to costs of additional voting equipment and voting equipment transportation for additional early voting centers. SBE shares voting system costs with the local boards of elections pursuant to Chapter 564 of 2001.

Local government expenditures increase by approximately $45,000 to $85,000 annually for each additional early voting center established, due to the costs of additional voting equipment and voting equipment transportation (shared with the State), and operating costs, for additional early voting centers. The costs per center vary, depending on the county and the size of the center.

The cost estimates were developed using average operating costs of early voting centers for counties in different tiers of voter registration populations (Baltimore, Montgomery, and Prince George's counties in the top tier; Anne Arundel County and Baltimore City in the next tier; etc.) across primary and general elections, along with information provided by SBE regarding amounts of equipment used per early voting center by the different counties. The average operating costs per early voting center are based on past early voting cost information collected by the Department of Legislative Services, adjusted using more recent information provided by certain local boards of elections. Actual operating costs may be somewhat lower in primary election years and higher in general election years, because of lower and higher expected voter turnout, respectively.

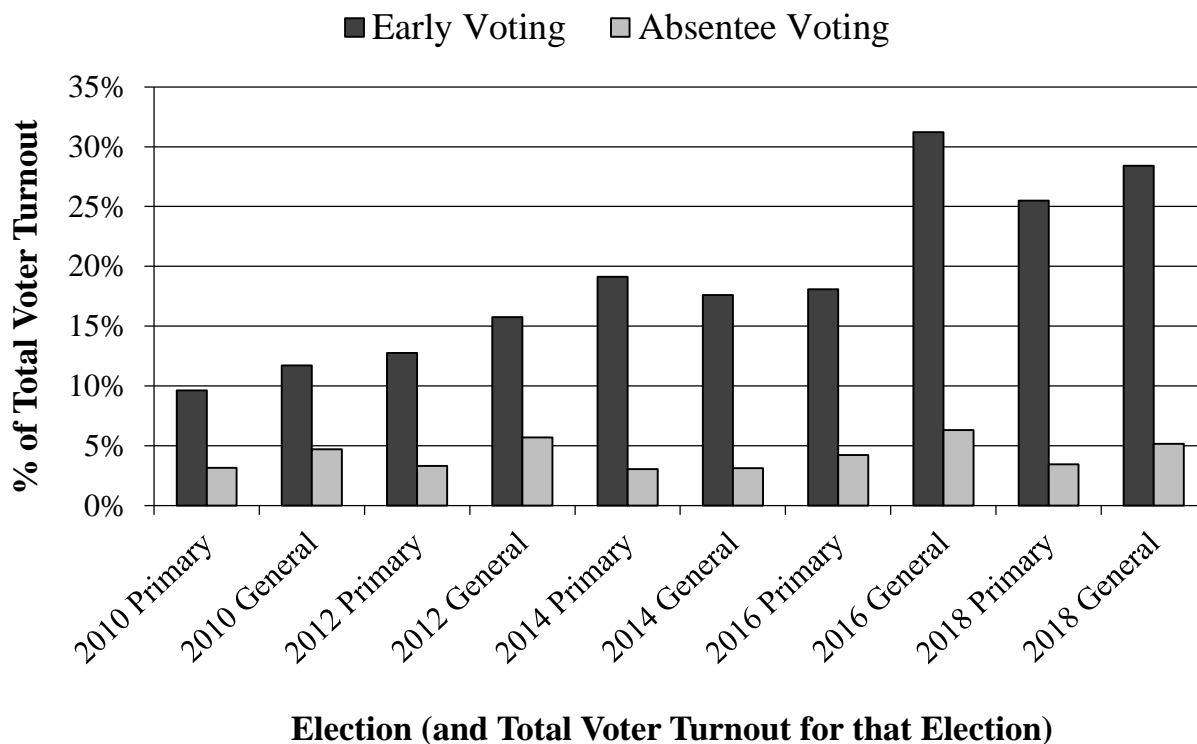## Additional Information

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 2018 elections, use of early voting has been generally increasing, surpassing 25% in recent elections, and use of absentee voting has been between 3% and 7%.

Exhibit 1
Maryland Early and Absentee Voting Turnout
2010-2018

Source: State Board of Elections; Department of Legislative Services

Chapters 157 and 158 of 2013 increased the number of early voting centers and the length of the early voting period, and Chapter 288 of 2016 further increased the number of centers. **Exhibit 2** and **Exhibit 3** show the changes made by Chapters 157 and 158 and Chapter 288. The number of early voting centers in each county, for the 2018 general election, 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 has been able to both register to vote (or change his/her voter registration address) and vote at an early voting center since 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 39 states and the District of Columbia offer some form of in-person early voting, and 28 states and the District of Columbia permit no excuse absentee voting. 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 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.

Exhibit 2
Early Voting Centers

Prior to Chs. 157/158		Under Chs. 157/158		Under Ch. 288 (Current Law)	
Registered Voters in a County	**Early Voting Centers**	**Registered Voters in a County**	**Early Voting Centers***	**Registered Voters in a County**	**Early Voting Centers***
< 150,000	1	< 125,000	1	< 125,000	1
150,000-300,000	3	125,000-300,000	3	125,000-200,000	3
> 300,000	5	300,000-450,000	5	200,000-300,000	4
		> 450,000	8	300,000-450,000	7
				> 450,000	11

*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. Chapter 288 limited this option to apply only to counties with less than 200,000 registered voters.

Source: Department of Legislative Services

Exhibit 3
Early Voting Days and Hours

Prior to Chs. 157/158		Under Chs. 157/158 (Current Law; no changes were made by Ch. 288)
2010 Elections	**2012 Elections**	**2014 and Future Elections**
Days (6)	*Days (6)*	*Days (8)*
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
Hours	*Hours*	*Hours*
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)

Source: Department of Legislative Services

Exhibit 4
Early Voting Centers in Each County

Jurisdiction	Registered Voters (December 2018)	Early Voting Centers 2018 General Election
Allegany	43,436	1
Anne Arundel	394,529	7
Baltimore City	393,029	7
Baltimore	561,443	11
Calvert	66,605	1
Caroline	20,495	1
Carroll	123,565	2
Cecil	66,398	1
Charles	114,818	2
Dorchester	21,611	1
Frederick	177,016	4
Garrett	20,006	2
Harford	183,711	4
Howard	220,609	4
Kent	13,232	1
Montgomery	670,134	11
Prince George's	589,433	11
Queen Anne's	36,364	2
St. Mary's	71,937	1
Somerset	13,307	1
Talbot	27,291	1
Washington	97,010	1
Wicomico	62,847	1
Worcester	39,280	1
Total	**4,028,106**	**79**

Source: State Board of Elections