

Department of Legislative Services
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 544
Ways and Means

(Delegate Hornberger)

**Presidential Elections - Agreement Among the States to Elect the President by
National Popular Vote - Repeal**

This bill withdraws Maryland from the “Agreement Among the States to Elect the President By National Popular Vote.” **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapters 43 and 44 of 2007 established Maryland as a member of the agreement, under which Maryland will commit its presidential electors to the national popular vote winner in a presidential election upon the agreement taking effect. The agreement takes effect when it is enacted in substantially the same form by states cumulatively possessing a majority of the electoral votes and the enactments of the agreement have taken effect in each of those states. Currently, Maryland’s presidential electors cast their votes for the presidential and vice presidential candidates who receive a plurality of the votes cast in the State.

Additional Information

Prior Introductions: HB 53 of 2016 and HB 63 of 2015 each received an unfavorable report from the House Ways and Means Committee. In addition, similar bills were introduced in the 2009 through 2013 sessions.

Designated Cross File: None.

Information Source(s): State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - January 29, 2021
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