

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 532 (Senator Ready, *et al.*)
Education, Health, and Environmental Affairs

Election Law – Polling Places – Proof of Identity

This bill requires an individual voting in person to present one of various forms of identification in order to vote a regular ballot and requires an election judge to read the voter's name aloud. A voter who is unable to provide identification or indicates a change of residence must vote a provisional ballot. The bill also prohibits willfully and knowingly voting or attempting to vote under a false form of identification, with violations subject to existing criminal penalties. **The bill takes effect January 1, 2023.**

Fiscal Summary

State Effect: General fund expenditures increase significantly in FY 2024 through 2027 for voter outreach. Costs may total at least \$500,000 each year; however, local boards of elections are expected to be responsible for a portion of the cost. Voter outreach costs diminish beyond FY 2027. The bill's criminal penalty provisions are not expected to materially affect State finances.

Local Effect: Local government expenditures increase due to costs associated with voter outreach, additional election judges and equipment, and additional provisional ballots. The bill's criminal penalty provisions are not expected to materially affect local government finances. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The allowable forms of identification under the bill are:

- a current government-issued photo identification;
- a utility bill, bank statement, government check, paycheck, or any other government document that shows the voter's name and address and is dated within three months before the election;
- a voter notification card; or
- the specimen ballot mailed to the voter by a local board of elections.

Current Law: For each individual who seeks to vote, an election judge has to:

- locate the voter's name in the election register or inactive list;
- establish the voter's identity by requesting that the voter state his or her month and day of birth and comparing the response to the information in the election register;
- verify the address of the voter's residence, unless the voter's personal information has been deemed confidential by the local board, in which case an alternative verification method, established by the State Board of Elections, must be conducted; and
- have the voter sign a voting authority card.

Upon completion of those procedures, a voter is entitled to vote a regular ballot. If a voter's name is not found on the election register or the inactive voter list, the voter is referred to vote a provisional ballot.

State Fiscal Effect: General fund expenditures are expected to increase significantly in fiscal 2024 to conduct voter outreach regarding the voter identification requirement prior to the 2024 presidential primary election. Costs of voter outreach in fiscal 2024 may total at least \$500,000. It is expected that local boards of elections will be responsible for part of the cost of a voter outreach campaign, but how the cost will be shared by the State and local boards is uncertain. Significant voter outreach costs will likely also be incurred in fiscal 2025 through 2027 for outreach prior to the presidential general election and 2026 gubernatorial elections but will subsequently diminish as voters become more accustomed to the requirement.

Efforts to redevelop election judge procedures, training materials, and polling place signs, and to train local board staff, are assumed to be absorbable within existing resources.

Local Fiscal Effect: Expenditures are expected to increase for local boards of elections for the 2024 presidential primary election and future elections to account for costs such as voter outreach, training and compensation of additional election judges, additional election judge equipment, and/or additional provisional ballot materials and canvassing (personnel) costs. Based on information provided by a small number of counties, costs may vary from

relatively minimal costs in some counties to more significant costs in others, depending on a county's approach to implement the bill's requirement.

Kent, Washington, and Worcester counties, for example, estimated for other legislation establishing a voter identification requirement that they would incur costs of \$59,000, \$188,000, and \$53,000, respectively, in fiscal 2024 (with lesser ongoing costs in future years) primarily associated with voter education and additional election judges and pollbook equipment to alleviate any effect a voter identification requirement has on voter wait times.

Additional Information

Prior Introductions: SB 838 of 2021 received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. HB 1094 of 2014 received a hearing in the House Ways and Means Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Baltimore, Garrett, Kent, Washington, and Worcester counties; Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2022
fnu2/hlb

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510