

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 1200

(Delegate D. Jones, *et al.*)

Ways and Means

Education, Energy, and the Environment

Elections - Election Judges - Minimum Compensation

This bill establishes specified minimum compensation levels for election judges, including higher minimum compensation for returning election judges. The bill requires the State Board of Elections (SBE) to reimburse each local board of elections for half of the extra compensation that is paid to each returning election judge. The bill also requires SBE to develop and provide to the local boards a marketing campaign to recruit individuals to serve as election judges.

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$1.6 million to \$2.1 million annually, beginning in FY 2024. Revenues are not affected.

Local Effect: Local government expenditures increase, collectively, by approximately \$3.2 million to \$3.8 million annually, beginning in FY 2024. Revenues are not affected.
This bill imposes a mandate on a unit of local government.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Minimum Compensation

The bill establishes that the compensation for each election judge who has not previously served as an election judge must be at least \$250 per day for each Election Day and each

early voting day actually served. For each election judge who has previously served as an election judge, the compensation for each Election Day and each early voting day actually served must be at least \$100 more per day than the compensation provided to an election judge who has not previously served as an election judge. SBE must reimburse each local board of elections for \$50 of the extra compensation that is paid to each returning election judge (who has previously served as an election judge). The bill also requires that an election judge be paid at least \$50 for each course of instruction the election judge completes.

The county governing body must provide sufficient funding to meet the minimum compensation levels required by the bill. Within the limits authorized by the county governing body, a local board may fix the compensation of election judges above the minimum compensation levels required by the bill.

“Compensation” includes stipends for transportation, training, and bonus payments.

The bill repeals existing county-specific provisions that set, in certain counties, the compensation or minimum compensation for election judges for each day served and/or the compensation for completing a course of instruction.

Recruitment Marketing Campaign

The bill requires SBE to develop and provide to the local boards a marketing campaign to recruit individuals to serve as election judges in polling places in the State. The marketing campaign must (1) disseminate information on the importance of election judges; (2) disseminate information on how to apply to be an election judge, eligibility requirements, and compensation; and (3) target diverse voter populations, including multilingual individuals.

Current Law: A local board of elections is authorized to fix the compensation of election judges within limits authorized by the county’s governing body. State law, however, specifies compensation rates, or minimum compensation rates, for election judges in certain counties (Allegany, Baltimore, Calvert, Harford, Prince George’s, and Washington) and Baltimore City, which are \$250 per day or lower for each day served and \$50 or lower for completing a course of instruction. An election judge must be paid for each Election Day and each early voting day that the election judge serves.

State Fiscal Effect: General fund expenditures increase by approximately \$1.6 million to \$2.1 million annually, beginning in fiscal 2024, reflecting:

- the cost of reimbursing the local boards of elections for \$50 of the minimum \$100 extra compensation paid to each returning election judge (approximately

\$1.0 million to \$1.4 million annually, based on information and assumptions discussed below, under Local Fiscal Effect); and

- SBE's 50% share of the costs of developing and implementing the marketing campaign to recruit individuals to serve as election judges (approximately \$0.6 million to \$0.7 million annually).

SBE indicates that the costs of an effective marketing campaign to recruit individuals to serve as election judges are expected to range from \$1,250,000 to \$1,350,000 in fiscal 2024. Those costs are assumed to be split evenly between the State and local boards of elections in accordance with current cost-sharing between the State and local boards. The estimated costs account for digital communication efforts and television and radio advertising, including efforts targeted toward diverse voter populations, including multilingual individuals. This estimate assumes that SBE develops and implements the marketing campaign on behalf of the local boards, with the assistance of a public relations team, which will allow for consistent messaging and enable SBE to monitor and track advertising placements in order to evaluate and improve the effectiveness of the marketing campaign. Similar marketing campaign costs are expected to be incurred in subsequent fiscal years.

Local Fiscal Effect: Local government expenditures increase, collectively, by approximately \$3.2 million to \$3.8 million annually, beginning in fiscal 2024, reflecting:

- the increase in compensation paid to election judges in counties that currently have election judge compensation rates lower than \$250 per day (for each Election Day and each early voting day served) and/or course of instruction compensation rates below \$50 (\$1.6 million annually);
- the remaining \$50 local board cost of the minimum \$100 extra compensation paid to each returning election judge, after the \$50 reimbursement from SBE (approximately \$1.0 million to \$1.4 million annually);
- one-time development costs billed to the local boards by SBE for modifications to the election judge module in the statewide voter registration system needed to track returning election judges and ensure they are paid appropriately (\$18,300); and
- the local boards' 50% share of the costs of the marketing campaign to recruit individuals to serve as election judges (approximately \$0.6 million to \$0.7 million annually, discussed above, under State Fiscal Effect).

This estimate is based on the following information and assumptions:

- information provided by the Maryland Association of Election Officials on anticipated election judge compensation rates and course of instruction

- compensation rates in each county for the 2024 primary election (which includes compensation increases in certain counties that are pending budget approval);
- information collected by SBE in the past regarding levels of election judge staffing for early voting and Election Day in each county;
 - an assumption that 50% to 75% of the election judge shifts (days) worked, are shifts worked by returning election judges, requiring the higher compensation rate;
 - an assumption that local boards of elections with current planned compensation rates for the 2024 primary election that are higher than the \$250 per day minimum rate pay returning election judges \$100 more in comparison to the current planned compensation rates (and do not reduce the compensation rate for first-time judges to a lower rate that is still at or above the \$250 minimum in order to achieve the \$100 difference in pay between first-time and returning election judges);
 - the election judge module in the statewide voter registration system is currently used by most local boards of elections to manage their election judge process, allowing them to track recruitment, assign judges to voting locations, and track and report information needed to pay election judges; and
 - an assumption that the costs of the marketing campaign to recruit individuals to serve as election judges are split evenly by the State and local boards in accordance with current cost-sharing.

The impact in fiscal 2024 and future years may be less than the amounts estimated to the extent that counties with current planned compensation rates for election judges below the minimum rates required by the bill increase their compensation rates for the 2024 or future elections even in the absence of the bill.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years; however, legislation with similar provisions has been proposed. For example, see HB 327 of 2022.

Designated Cross File: SB 925 (Senator A. Washington) - Education, Energy, and the Environment.

Information Source(s): Baltimore City; Calvert and Prince George's counties; Maryland State Board of Elections; Maryland Association of Election Officials; Department of Legislative Services

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