

Department of Legislative Services  
Maryland General Assembly  
2024 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 700  
Ways and Means

(Delegates D. Jones and Fair)

Education, Energy, and the Environment

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Election Law - Election Judges - Revisions

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This bill defines “returning election judge,” for the purposes of the existing additional compensation provided to returning election judges, to mean an election judge who has served a term of office for the immediately preceding presidential or gubernatorial election. The bill authorizes a public school student who serves as an election judge to both (1) earn service-learning hours and (2) receive compensation. The bill requires that a county employee who serves as an election judge during the hours that the employee is scheduled to work receive administrative leave and election judge compensation. The bill also requires the State Board of Elections (SBE) to adopt regulations to standardize and minimize specified forms or documentation required of election judges. **The bill takes effect June 1, 2024.**

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Fiscal Summary

**State Effect:** General fund expenditures decrease annually, beginning in FY 2025. Under one set of assumptions (discussed below), general fund expenditures decrease by approximately \$190,100 annually, beginning in FY 2025. Revenues are not affected.

**Local Effect:** Local government expenditures may decrease overall in FY 2025 and decrease annually thereafter. Under one set of assumptions (discussed below), local government expenditures decrease, collectively, overall, by approximately \$165,100 in fiscal 2025 and by approximately \$190,100 annually thereafter. Revenues are not affected.

**Small Business Effect:** None.

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## Analysis

### Bill Summary:

#### *Compensation*

##### *Returning Election Judge*

The bill establishes that only election judges who have served a term of office for the immediately preceding presidential or gubernatorial election (defined under the bill as “returning election judges”) receive at least \$100 more per day in compensation than other election judges. Under current law, any election judge who has previously served as an election judge receives the extra compensation.

##### *Student Election Judge*

For service as an election judge, the bill authorizes a public school student to both (1) earn hours toward the service-learning requirement for graduation under State Board of Education regulations and (2) receive the applicable election judge compensation.

##### *County Employee Service as an Election Judge*

The bill requires that a county employee who serves as an election judge during hours that the employee is otherwise scheduled to work for the county receive (1) one hour of administrative leave for each hour of service as an election judge, up to a total of eight hours for each day of service and (2) the applicable election judge compensation.

##### *Standardized and Minimized Forms or Documentation*

The bill requires SBE to adopt regulations to standardize and minimize forms or documentation required to (1) apply to serve as an election judge; (2) serve as an election judge; or (3) receive compensation for service as an election judge. A local board of elections or county government may not require additional forms or documentation for election judges or prospective election judges in excess of the forms or documentation required in the SBE regulations.

### Current Law:

#### *Election Judge Minimum Compensation*

Chapter 157 of 2023 established minimum compensation levels for election judges. For each election judge who has not previously served as an election judge, the compensation

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). Each election judge must be paid at least \$50 for each course of instruction the election judge completes.

SBE regulations define “previously served” to mean an election judge who (1) was previously appointed as an election judge under State law; (2) completed a term of office; and (3) served in the capacity of an election judge during the term of office in a statewide primary, general, or special election. “Term of office” means the time from appointment to the office of election judge through the Tuesday that is 13 weeks before the next statewide primary election.

#### *Student Service-learning Requirement*

Pursuant to State Board of Education regulations, in order to graduate, students must complete (1) 75 hours of student service that includes preparation, action, and reflection components and that, at the discretion of the local school board system, may begin during the middle grades or (2) a locally designed program in student service that has been approved by the State Superintendent of Schools. (Maryland State Department of Education [guidelines](#) for student service-learning indicate that any activity that compensates a student with money, goods, or services may not be counted toward the service-learning graduation requirement.)

Under the Election Law Article, a minor who is at least age 16 and who is a registered voter may be appointed and serve as an election judge.

#### *State Employee Service as an Election Judge*

A State employee who serves as an election judge during hours that the employee is otherwise scheduled to work for the State (1) may use one hour of administrative leave for each hour of service as an election judge, up to a total of eight hours for each day of service, and (2) must receive the applicable election judge compensation.

#### *Local Board Guidelines for Election Judge Qualification and Appointment*

A local board of elections may adopt guidelines consistent with applicable State law for the determination of the qualifications of persons considered for appointment and for the process of appointment as election judges.

**State Fiscal Effect:** General fund expenditures decrease annually, beginning in fiscal 2025, due to the bill’s definition of “returning election judge” reducing the number of election judges who receive additional compensation during the 2024 general election (accounting for the bill’s June 1, 2024 effective date) and future elections.

The extent of the decrease cannot be reliably estimated at this time. Sufficient data is not available to estimate how many election judges will receive the additional compensation under current law and under the bill; however, *for illustrative purposes*, if it is assumed that 75% of election judges receive the additional compensation under current law and only 65% receive the additional compensation under the bill, general fund expenditures decrease by approximately \$190,100 annually beginning in fiscal 2025, reflecting a reduction in the State’s costs to reimburse the local boards of elections for \$50 of the minimum \$100 additional compensation provided to returning election judges.

**Local Fiscal Effect:** Local government expenditures may decrease overall, in fiscal 2025, and decrease annually thereafter, due to the net impact of (1) the bill’s definition of “returning election judge” reducing the number of election judges who receive additional compensation during the 2024 general election and future elections and (2) one-time programming costs (\$25,000) to modify the election judge module of the statewide voter registration system to identify “returning election judges,” as defined by the bill, to receive additional compensation.

As stated above under the State Fiscal Effect, the extent of the decrease in costs for additional election judge compensation cannot be reliably estimated at this time; however, *for illustrative purposes*, under the assumptions stated above, local government expenditures decrease by approximately \$190,100 annually beginning in fiscal 2025, reflecting a reduction in the local boards’ \$50 share of the minimum \$100 additional compensation provided to returning election judges. Under this illustrative estimate, local government expenditures decrease, collectively, overall, by approximately \$165,100 in fiscal 2025 and by approximately \$190,100 annually thereafter, accounting for the offsetting \$25,000 one-time programming costs in fiscal 2025. While the bill takes effect in fiscal 2024, this analysis assumes the programming costs are incurred in fiscal 2025.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel, Charles, Garrett, and Howard counties; Maryland State Department of Education; Maryland State Board of Elections; Baltimore City Public Schools; Montgomery County Public Schools; Department of Legislative Services

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