

**Department of Legislative Services**  
Maryland General Assembly  
2025 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 88 (Senator Kagan)  
Education, Energy, and the Environment

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**Election Law - State Administrator of Elections - Municipal Elections**

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This emergency bill authorizes the State Administrator of Elections to enter into a memorandum of understanding with a municipality that allows the State Administrator to work collaboratively with the municipality to support the administration of the municipality's elections.

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**Fiscal Summary**

**State Effect:** The bill is not expected to materially affect State finances.

**Local Effect:** The bill is not expected to materially affect local government finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** State election law governs the administration of federal, State, county, and Baltimore City elections held during statewide elections every two years, and special elections, but generally does not govern municipal elections other than those in Baltimore City (which is considered a "county" for purposes of State law). Municipal elections are primarily governed by each municipality's law and occur at various times throughout the year and in odd- and even-numbered years.

While State law governing elections generally does not apply to municipal elections, there are certain provisions of State law that address municipal elections, including those that (1) prohibit a municipality from requiring an individual to own or control an interest in property to participate in an election or hold office in the municipality; (2) allow a

municipality to use the information in the statewide voter registration database to administer voter registration for its elections; (3) allow a municipality to request that the State Board of Elections (SBE) include the offices and questions to be voted on in a municipal election on the statewide ballot (within the municipality) during a statewide election; (4) require municipalities to allow no-excuse absentee voting (mail-in voting) in municipal elections; (5) make State voting-related offenses (*e.g.*, voting more than once, voter intimidation) and associated criminal penalties applicable to municipal elections; and (6) require municipalities to submit their election results to SBE to publish on the SBE website.

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### **Additional Information**

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

**Designated Cross File:** HB 322 (Delegate Wims) - Ways and Means.

**Information Source(s):** City of Annapolis; Maryland Municipal League; Maryland State Board of Elections; Department of Legislative Services

**Fiscal Note History:** First Reader - February 3, 2025  
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Analysis by: Arnold H. Adja

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