



Senate Bill 831

Election Reform Act of 2021

MACo Position: **SUPPORT
WITH AMENDMENTS**

To: Education, Health, and Environmental
Affairs Committee

Date: March 3, 2021

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS SB 831 WITH AMENDMENTS**. This comprehensive bill makes several changes to the structure and administration of Maryland elections, including boosting transparency for local Boards of Elections, providing needed flexibility for the canvass of ballots, and requiring that election results be reported by precinct.

While most of the bill's facets are outside of the purview of county governments, one component of SB 831 – detailed reporting by precinct – places a very substantial administrative and cost burden onto county-funded local Boards of Elections. MACo urges amendments to ensure state resources be provided to support its substantial costs, and alleviate the mandate.

MACo appreciates that this bill provides local boards of elections with necessary and reasonable flexibility for the canvass of ballots, avoiding administrative complications that could disrupt the timely certification of election results. Additionally, this bill promotes transparency and accountability by requiring local Boards of Elections to post and maintain all open meeting materials on publicly accessible websites.

However, the bill mandates that election results provided by local boards of elections – acting in their capacity as boards of canvassers – and the State Board of Elections (SBE), must include results by precinct for early, absentee, and provisional voting. MACo does not raise policy objections with this goal: county concerns are merely practical and cost-driven.

As a rule, MACo resists state policies that result in costly or burdensome local implementation. This bill will result in substantial costs to local Boards of Elections, which indicate significant costs associated with generating and maintaining hundreds of ballot styles, costs for equipment purchases/leases, equipment storage and transportation, staff compensation and training, and other overhead.

MACo suggests that if reporting by precinct merits a top priority for state policymakers, implementing legislation should either direct state agencies to carry out these functions at state expense, or should provide the resources needed by local election boards and staff.

Accordingly, MACo urges the Committee to issue a **FAVORABLE WITH AMENDMENTS** report on SB 831, with amendments necessary to avoid a substantial unfunded mandate on local governments. MACo would be pleased to join local election administrators in working with the Committee to develop bill language that accomplishes this goal.