



Montgomery County

Office of Intergovernmental Relations

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HB 35

DATE: February 1, 2022

SPONSOR: Delegate Palakovich Carr

ASSIGNED TO: Ways and Means

CONTACT PERSON: Kathleen Boucher (kathleen.boucher@montgomerycountymd.gov)

POSITION: Support

State Board of Elections – Contracts and Invoices – Requirements

This bill is an initiative of the Maryland Association of Counties for the purpose of codifying a 20-year old uncodified legal requirement that the cost of voting machines and related systems be split 50/50 between the State Board of Elections (Board) and local boards of elections. The bill also establishes rules governing procurement of goods and services that ensure proper local input for State contracts that obligate county funds.

The bill requires the Board to review and vote on every contract with a value of \$50,000 or more and to ensure the cost-effective use of federal, State, and county resources in administering elections. For each proposed contract, contract renewal, and change order, the State Elections Administrator must provide a report to the Board that includes an explanation of: (1) the purpose of the proposed contract, contract renewal, or change order; (2) how the proposal will be funded; (3) how federal and/or State funds will be used to fund the proposal; and (4) costs that will be imposed on local boards. The bill also requires the Board to submit a similar report to the Board of Public Works before it acts on a proposed contract, contract renewal, or change order.

In the past, the Board has often made unilateral decisions that place substantial administrative and cost burdens on local boards of elections, whose operations depend on county funding. It serves the public interest to require that relevant and material information about the scope of and source of funding for significant procurement contracts and change orders be provided to the State Board of Elections and Board of Public Works before decisions are made regarding approval or disapproval. Without proper resources to offset substantial costs for equipment purchases/leases, equipment storage and transportation, staff compensation and training, and other overhead costs, these State-mandated expenditures represent significant unfunded mandates on county governments. It is important that the State reaffirm its prior commitment to a 50/50 cost share.

For the reasons referenced above, the County respectfully requests that the Ways and Means Committee give this bill a favorable report.