

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 197  
Ways and Means

(Delegate Parrott, *et al.*)

---

Election Law - Qualification of Voters - Proof of Identity

---

This bill establishes a requirement that a voter present a current government-issued photo identification in order to vote a regular ballot. A voter who does not have the required identification or indicates a change of residence must vote a provisional ballot. The bill allows a resident who is at least age 18, does not have a driver's license, and produces specified documentation to obtain an identification card from the Motor Vehicle Administration (MVA) for use as a voter identification card, at no charge. The bill also prohibits willfully and knowingly voting or attempting to vote under a false form of identification, with violations subject to existing criminal penalties. **The bill takes effect January 1, 2021.**

---

Fiscal Summary

**State Effect:** General fund expenditures increase significantly in FY 2022 through 2025 for voter outreach. Costs may total at least \$500,000 each year; however, local boards of elections are expected to be responsible for a portion of the cost. Voter outreach costs diminish beyond FY 2025. Transportation Trust Fund (TTF) revenues from the issuance of identification cards may decrease significantly. The bill's criminal penalty provisions are not expected to materially affect State finances.

**Local Effect:** Local government expenditures may increase due to costs associated with voter outreach, additional election judges and equipment, and additional provisional ballots. The bill's criminal penalty provisions are not expected to materially affect local government finances. **This bill may impose a mandate on a unit of local government.**

**Small Business Effect:** None.

---

## Analysis

**Current Law:** For each individual who seeks to vote, an election judge has to:

- locate the voter's name in the election register or inactive list;
- establish the voter's identity by requesting that the voter state his or her month and day of birth and comparing the response to the information in the election register;
- verify the address of the voter's residence, unless the voter's personal information has been deemed confidential by the local board, in which case an alternative verification method, established by the State Board of Elections, must be conducted; and
- have the voter sign a voting authority card.

Upon completion of those procedures, a voter is entitled to vote a regular ballot. If a voter's name is not found on the election register or the inactive voter list, the voter is referred to vote a provisional ballot.

**Background:** The National Conference of State Legislatures indicates that 35 states have laws in force in 2020 requesting or requiring voters to show some form of identification at the polls. The laws range from allowing various types of identification and allowing voters without acceptable identification the ability to still cast a ballot without further action to more strict, photo identification requirements. The remaining states, including Maryland, use other methods to verify the identity of voters.

**State Expenditures:** General fund expenditures are expected to increase significantly in fiscal 2022 to conduct voter outreach regarding the voter identification requirement prior to the 2022 gubernatorial primary election. Costs of voter outreach in fiscal 2022 may total at least \$500,000. It is expected that local boards of elections will be responsible for part of the cost of a voter outreach campaign, but how the cost will be shared by the State and local boards is uncertain. Significant voter outreach costs will likely also be incurred in fiscal 2023 through 2025 for outreach prior to the gubernatorial general election and 2024 presidential elections but will subsequently diminish as voters become more accustomed to the requirement.

Efforts to redevelop election judge procedures, training materials, and polling place signs, and to train local board staff, are assumed to be absorbable within existing resources.

**State Revenues:** Special fund revenues are expected to decrease due to a loss of identification card fees paid to TTF, assuming individuals at least age 18 applying for an identification card assert that they are applying for the card for voter identification purposes. MVA charges a \$24 fee for an identification card and \$20 for a duplicate/corrected card. Based on fiscal 2019 statistics, *for illustrative purposes only*, assuming approximately 51,387 identification cards and 29,967 duplicate/corrected identification cards that would otherwise be issued for a fee are issued for voter identification purposes, TTF revenues decrease by \$0.9 million in fiscal 2021, accounting for the bill's January 1, 2021 effective date. Annualized, the revenue decrease totals \$1.8 million.

**Local Fiscal Effect:** Expenditures are expected to increase for local boards of elections for the 2022 gubernatorial primary election and future elections to account for costs such as voter outreach, training and compensation of additional election judges, additional election judge equipment, and additional provisional ballot materials and canvassing (personnel) costs.

An estimate submitted by Washington County, for example, includes costs of \$233,000 in fiscal 2022, and costs of approximately \$150,000 in future years. The estimate accounts for (1) a part-time employee to handle processing, after an election, of provisional ballots voted by voters without identification, and to handle ongoing voter education efforts (\$45,000); (2) a pre-election mailing to voters (\$70,000); (3) compensation and training for two additional election judges at each polling place, a greeter judge and check-in judge, to alleviate any effect the identification requirement might have on voter wait times (\$22,500); (4) voter education media ads (\$5,000); and (5) one additional pollbook and pollbook printer at each polling place for the additional check-in judge (a one-time cost of \$90,500). Worcester County also indicated a need for additional election judges (\$14,000), pollbooks and pollbook printers (a one-time cost of \$38,000), and clerical assistance (\$800) (to assist with verifying identification of provisional voters after the election – those who did not have identification when voting in person).

---

### **Additional Information**

**Prior Introductions:** HB 992 of 2019 and HB 1563 of 2018 each received an unfavorable report from the House Ways and Means Committee. In addition, similar bills were introduced in the 2005 through 2011 and 2015 through 2017 sessions.

**Designated Cross File:** None.

**Information Source(s):** State Board of Elections; Maryland Department of Transportation; Baltimore City; Washington and Worcester counties; Department of Legislative Services

**Fiscal Note History:** First Reader - February 4, 2020  
mr/hlb

---

Analysis by: Scott D. Kennedy

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