

**Department of Legislative Services**  
Maryland General Assembly  
2017 Session

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

Senate Bill 883 (Senator Simonaire)  
Education, Health, and Environmental Affairs

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**Municipal Elections - Voting by Individuals Not Lawfully Present in the United States**

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This bill prohibits an individual who is not lawfully present in the United States from voting in a municipal election. If a municipality allows individuals who are residents of the municipality but are not citizens of the United States to vote in municipal elections, the municipality must verify the lawful presence in the United States of each such individual before the individual votes.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** The bill is not expected to have a material fiscal impact on affected municipalities.

**Small Business Effect:** None.

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**Analysis**

**Current Law/Background:** State election law governs 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). In order to register to vote in elections governed by State election law, a person must be a citizen of the United States.

Municipal elections are held at various times and with different frequency. Information provided by the Maryland Municipal League indicates there are at least six municipalities

in the State that allow residents who are not U.S. citizens to vote in municipal elections. Five of these municipalities are located in Montgomery County (Garrett Park, Glen Echo, Martin's Additions, Somerset, and Takoma Park) and one is located in Prince George's County (Hyattsville).

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 22, 2017  
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