

Department of Legislative Services  
Maryland General Assembly  
2019 Session

FISCAL AND POLICY NOTE  
Enrolled

Senate Bill 449 (Senator Pinsky, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

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Election Law – Registration and Voting at Precinct Polling Places

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This bill establishes procedures allowing for an individual, on Election Day at a precinct polling place in the individual’s county of residence, to register to vote and then vote.

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Fiscal Summary

**State Effect:** General fund expenditures may increase by approximately \$44,000 annually beginning in FY 2020. Revenues are not affected.

**Local Effect:** Local government expenditures increase collectively by \$2.0 million annually from FY 2020 through 2022 and by \$597,000 annually thereafter. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The bill allows an individual, on Election Day, to appear at a precinct polling place in the individual’s county of residence and apply to register to vote. An individual applying to register to vote on Election Day must provide proof of residency by showing the election judge (1) a Maryland driver’s license or Maryland identification card that contains the applicant’s current address or (2) if the applicant does not have a driver’s license or identification card that contains the applicant’s current address, a copy of an official document that meets the requirements established by the State Board of Elections (SBE) and contains the applicant’s name and current address.

When an individual applies to register to vote at a precinct polling place on Election Day, the election judge must determine whether the applicant resides in the precinct and is qualified to become a registered voter. If the voter is a resident of the precinct and is qualified to register to vote, the voter is issued a regular ballot. If, however, the voter is a resident of the county but not the precinct, is qualified to register to vote, and chooses to vote in that precinct, the voter is issued a provisional ballot.

Unless a local board of elections elects to make the notification, SBE must take appropriate measures to notify potential registrants of the correct precinct polling place for the potential registrants' residence addresses before each election. An election judge must notify an individual who applies to register to vote at the incorrect precinct for the voter's residence address of the correct precinct for the voter's residence address.

SBE must adopt regulations and procedures in accordance with the bill's requirements for the administration of voter registration on Election Day.

**Current Law:** Under the Maryland Constitution, the General Assembly must provide, by law, for a uniform registration of voters in the State, to serve as conclusive evidence to election judges of a registered voter's right to vote at any following election in the State. Further, a person may not vote at a federal or State election in the State or municipal election in Baltimore City without being on the list of registered voters. Pursuant to Chapter 855 of 2018, a constitutional amendment approved by the voters of the State in the November 2018 general election, the General Assembly has the power to allow a qualified individual to register and vote at a precinct polling place on Election Day.

Under State law, voter registration is conducted continuously, but is closed from 9 p.m. on the twenty-first day preceding an election to the eleventh day after an election. An exception to the closing of registration prior to an election is that, pursuant to Chapters 157 and 158 of 2013, during early voting an individual may appear in person at an early voting center in the individual's county of residence and apply to register to vote or change the voter's address on an existing voter registration, then subsequently vote the appropriate ballot.

A voter registration application that is mailed or submitted when registration is closed is accepted and retained but does not become effective until registration reopens. An individual may apply to become a registered voter through a number of means including (1) visiting an election board office; (2) by mail; (3) when applying for services at a voter registration agency (specified public and nongovernmental agencies designated by SBE, including agencies providing public assistance and services for individuals with disabilities, public higher education institutions, and military recruiting offices); (4) pursuant to Chapter 287 of 2016 and Chapter 19 of 2018 (with statutory implementation dates during 2019), during an applicable transaction at electronic voter registration

agencies (soon to be “automatic voter registration agencies” under Chapter 19 of 2018, effective July 1, 2019), which are the Motor Vehicle Administration, the Maryland Health Benefit Exchange, local departments of social services, and the Mobility Certification Office in the Maryland Transit Administration; or (5) through SBE’s online voter registration system.

At the polls on Election Day, if a voter’s name is not found on the election register or inactive list, the voter is referred to vote a provisional ballot.

**Background:** See [\*Maryland’s Voter Registration System and Same-day Registration\*](#), Department of Legislative Services (November 2017).

**State Fiscal Effect:** General fund expenditures may increase by approximately \$44,000 each year, beginning in fiscal 2020, to comply with the bill’s requirement that SBE take appropriate measures to notify potential registrants of the correct precinct polling place for their residence address unless local boards of elections elect to make the notification. This estimate assumes that (1) a postcard is sent to approximately 100,000 potential registrants (based on past mailings to potential registrants as part of the State’s membership in the Electronic Registration Information Center), directing them to SBE’s polling place lookup website and (2) the cost per postcard is approximately \$0.44.

**Local Fiscal Effect:** Local government expenditures increase collectively by \$2.0 million annually from fiscal 2020 through 2022 and by \$597,000 annually thereafter, due to the costs of additional election judges and pollbook equipment to administer Election Day voter registration, as shown by county in **Exhibit 1**.

This estimate assumes that at least one additional election judge (and pollbook equipment) is needed at each polling place and two additional election judges (and pollbook equipment for each) are needed at higher volume polling places (those with 3,000 or more registered voters assigned to them – approximately 20% of all polling places). It is assumed that the cost of the pollbook equipment is financed over three years (fiscal 2020-2022). The estimate was developed using polling place information provided by SBE and 2018 election judge compensation information collected by SBE (however, a higher election judge compensation rate was used in Baltimore City and Frederick County, based on information provided by those jurisdictions).

**Exhibit 1**  
**Additional Election Judge and Pollbook Equipment Costs**

<u>County</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
Allegany	\$31,000	\$31,000	\$31,000	\$7,000	\$7,000
Anne Arundel	176,000	176,000	176,000	39,000	39,000
Baltimore City	383,000	383,000	383,000	185,000	185,000
Baltimore	259,000	259,000	259,000	66,000	66,000
Calvert	27,000	27,000	27,000	6,000	6,000
Caroline	9,000	9,000	9,000	2,000	2,000
Carroll	47,000	47,000	47,000	11,000	11,000
Cecil	28,000	28,000	28,000	7,000	7,000
Charles	48,000	48,000	48,000	11,000	11,000
Dorchester	18,000	18,000	18,000	4,000	4,000
Frederick	85,000	85,000	85,000	24,000	24,000
Garrett	17,000	17,000	17,000	4,000	4,000
Harford	76,000	76,000	76,000	21,000	21,000
Howard	95,000	95,000	95,000	24,000	24,000
Kent	9,000	9,000	9,000	2,000	2,000
Montgomery	277,000	277,000	277,000	67,000	67,000
Prince George's	278,000	278,000	278,000	76,000	76,000
Queen Anne's	14,000	14,000	14,000	3,000	3,000
St. Mary's	31,000	31,000	31,000	7,000	7,000
Somerset	13,000	13,000	13,000	3,000	3,000
Talbot	13,000	13,000	13,000	4,000	4,000
Washington	45,000	45,000	45,000	10,000	10,000
Wicomico	31,000	31,000	31,000	9,000	9,000
Worcester	19,000	19,000	19,000	5,000	5,000
<b>Total</b>	<b>\$2,029,000</b>	<b>\$2,029,000</b>	<b>\$2,029,000</b>	<b>\$597,000</b>	<b>\$597,000</b>

Source: Department of Legislative Services

In Baltimore City, the estimate also assumes that an additional election judge (but without pollbook equipment) is needed at polling places with less than 3,000 registered voters assigned to them, to help with voter management due to the close proximity of Baltimore City polling places and the increased potential for Election Day voter registrants to appear at a polling place for a precinct other than the precinct that they reside in.

Implementation of Election Day voter registration by the individual jurisdictions may vary somewhat from the above assumptions based on specific circumstances and needs in the different jurisdictions. Some counties may also incur additional costs aside from the additional election judges and pollbook equipment. It appears that in most cases, any additional costs should be relatively small in comparison to the total costs for additional election judges and pollbook equipment. At least one exception, however, is in Baltimore City, where additional one-time costs totaling approximately \$100,000 (for tables, chairs, and other equipment) are expected to be incurred (this amount is not included in Exhibit 1).

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State Board of Elections; Baltimore City; Carroll, Cecil, Frederick, Harford, Montgomery, Queen Anne's, St. Mary's, and Talbot counties; Department of Legislative Services

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