

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

Senate Bill 91

(Senator Kagan)

Education, Health, and Environmental Affairs  
and Judicial Proceedings

Ways and Means

---

Election Law - Individuals Released From Correctional Facilities - Voter  
Registration

---

This bill requires a correctional facility, before releasing an inmate who has completed a sentence of imprisonment for a felony conviction, to provide the inmate with a voter registration form and inform the inmate that (1) the inmate may have the right to vote after the inmate's release from the correctional facility, if the inmate is otherwise qualified to be a registered voter and (2) the inmate must register to vote after the inmate's release from the correctional facility to exercise the right to vote.

---

Fiscal Summary

**State Effect:** General fund expenditures increase by approximately \$2,000 annually. Revenues are not affected.

**Local Effect:** The bill is not expected to materially affect local government finances.

**Small Business Effect:** None.

---

Analysis

**Current Law:** Under State law, with certain exceptions, an individual may register to vote if the individual is a citizen of the United States, is at least age 16, and is a resident of the State as of the day the individual seeks to register. A person who has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction is not qualified to be a registered voter.

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 the State Board of Elections (SBE), including agencies providing public assistance and services for individuals with disabilities, public higher education institutions, military recruiting offices, and one-stop career centers in the Maryland Department of Labor); (4) during an applicable transaction at automatic voter registration agencies, 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.

**State Fiscal Effect:** General fund expenditures increase by approximately \$2,000 annually to print additional voter registration applications to provide to State and local correctional facilities in order to comply with the bill.

It is expected that facilities may need to provide a voter registration application, and the additional information required by the bill, to all inmates released after completing a sentence of imprisonment, as opposed to only those who have completed a sentence of imprisonment for a felony conviction. Providing the applications and information to all released inmates may be an administratively more efficient method of complying with the bill than having to identify which individuals are completing a sentence for a felony conviction during release processes. (In that case, the additional information required to be provided would likely need to account for the fact that inmates not completing a sentence of imprisonment for a felony conviction may already be registered and can exercise their right to vote.)

The cost to print voter registration applications is approximately \$0.16 per application, based on SBE's most recent printing order. Approximately 7,000 individuals were released from State correctional facilities in fiscal 2019. Information has not been obtained on the total number of individuals released from local correctional facilities in a given year, but the number of sentenced individuals in the average daily population of local correctional facilities is in the range of 2,700 individuals, with most individuals sentenced to a local facility being held for less than a year. If, *for illustrative purposes*, it is assumed that the number of individuals released from local correctional facilities after serving a sentence of imprisonment in a year is twice the number of those individuals in the average daily population (because of turnover in the population due to sentences shorter than a year), then the cost to print an amount of voter registration applications equal to the number of individuals released from State and local facilities in a year is approximately \$2,000.

The Department of Public Safety and Correctional Services indicates the bill's requirements can be handled at its facilities with existing resources.

---

## **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 51 (Delegate Bartlett) - Ways and Means.

**Information Source(s):** State Board of Elections; Department of Public Safety and Correctional Services; Anne Arundel, Baltimore, and Montgomery counties; Maryland Correctional Administrators Association; Department of Legislative Services

**Fiscal Note History:** First Reader - January 14, 2020  
rh/hlb Third Reader - March 16, 2020  
Revised - Amendment(s) - March 16, 2020

---

Analysis by: Scott D. Kennedy

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