

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 142
Ways and Means

(Delegate Guyton, *et al.*)

Education, Health, and Environmental Affairs

Election Law - Voting Order Priority - Individuals Who Need Extra Assistance

This bill requires that specified individuals with a mobility problem (or assisting such an individual), or accompanied by a child with a disability, be given voting order priority at a polling place or early voting center. The bill requires the State Board of Elections (SBE) to adopt regulations regarding related election judge training and notice to voters of the option to request voting order priority. **The bill takes effect January 1, 2021.**

Fiscal Summary

State Effect: General fund expenditures increase by at least \$25,000 in FY 2021 only. Revenues are not affected.

Local Effect: Local government expenditures may increase each fiscal year in at least some counties, beginning in FY 2022, as discussed below. **The bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The bill requires a chief election judge to give voting order priority to an individual:

- who has a mobility problem that substantially impairs the individual's ability to move around or stand, or who is assisting such an individual; or
- who is accompanied by a child with a disability.

Such individuals may request voting order priority of any election judge serving at a polling place or early voting center.

SBE must adopt regulations to implement the bill, including:

- methods for providing notice of the option to request voting order priority to voters before an election, at each polling place on Election Day, and at each early voting center during early voting; and
- training guidelines for election judges.

Current Law/Background: Statute does not currently specify any voting order priorities at polling places or early voting Centers. The manual for election judges developed by SBE provides guidance for election judges when interacting with voters with special needs and, specifically with respect to voters that are unable to stand in line, suggests asking another voter in line to hold the voter's place, using a placeholder card. The voter who is holding the place in line can use the placeholder card to alert the election judges that it is the person's (person whose place is being held) turn to vote.

State Fiscal Effect: General fund expenditures increase by at least \$25,000 in fiscal 2021 for SBE to hire a consultant to assist the board in developing regulations that provide training guidelines for election judges. SBE indicates that it does not have the necessary expertise to develop the regulations required by the bill, including guidance for election judges in determining on a case-by-case basis who qualifies for voting order priority.

Local Fiscal Effect: Local government expenditures may increase each fiscal year in at least some counties, beginning in fiscal 2022, for additional election judge training, hiring of additional election judges, and/or additional signs at voting locations. Some counties have indicated the bill's requirements could be handled with existing resources, but Howard County, for example, estimates that election judge training classes would need to be longer to explain the voting order priority process, increasing staff overtime hours at a cost of approximately \$5,000 per election, and additional signs at voting locations would be needed, at a cost of approximately \$500 per election. In Carroll County, if an additional election judge is needed to manage the voting order priority process at each polling place, the cost would be approximately \$5,000. Depending on the complexity of the training guidelines that are developed and the extent of the use of voting order priority, presumably other counties could be similarly affected by costs of additional training for election judges and/or hiring of additional election judges.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): State Board of Elections; Anne Arundel, Baltimore, Carroll, Garrett, and Howard counties; Department of Legislative Services

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