

**Department of Legislative Services**  
Maryland General Assembly  
2021 Session

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

Senate Bill 36 (Senator Gallion)  
Education, Health, and Environmental Affairs

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**Election Integrity Act**

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This bill establishes that an agent of an absentee voter (authorized by the voter to pick up and deliver the voter's absentee ballot), in addition to meeting existing requirements, (1) must be a family member or member of the household of the voter; (2) may not be a campaign volunteer of a candidate on the ballot; and (3) may not pick up or deliver more than three ballots during each election.

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**Fiscal Summary**

**State Effect:** The bill is not expected to materially affect State finances.

**Local Effect:** Local government expenditures may increase, as discussed below. Revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A qualified applicant for an absentee ballot may designate a duly authorized agent to pick up and deliver an absentee ballot. An agent of the voter:

- must be at least 18 years old;
- may not be a candidate on that ballot;
- must be designated in a writing signed by the voter under penalty of perjury; and

- must execute an affidavit under penalty of perjury that the ballot was (1) delivered to the voter who submitted the application; (2) marked and placed in an envelope by the voter, or with assistance as allowed by regulation, in the agent's presence; and (3) returned to the local board by the agent.

Any person convicted of a violation of those provisions is subject to a fine of up to \$1,000 and/or imprisonment for up to two years.

**Local Fiscal Effect:** To the extent implementation of the bill includes modification of the State's voter registration database to be able to track information on agents of absentee (mail-in) voters to ensure that individuals do not pick up and deliver more than three ballots during an election, local government expenditures may increase. Costs of modifying the voter registration database are billed to the local boards of elections by the State Board of Elections, with costs allocated among the counties based on voting age population. Sufficient information was not available in time to estimate the cost of such a modification.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 690 (Delegate Hornberger) - Ways and Means.

**Information Source(s):** State Board of Elections; Office of the State Prosecutor; Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2021  
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