

Department of Legislative Services
 Maryland General Assembly
 2021 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

House Bill 247

(Delegate Guyton)

Ways and Means

Education, Health, and Environmental Affairs

Election Law - Accommodations for Voters in Need of 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 that training materials for election judges include specified instruction in the various methods an election judge may use to accommodate voters in need of assistance at a polling site. The bill also requires the State Board of Elections (SBE) to develop a specified sign to be posted prominently at the entrance of each polling site that states the various methods election judges may use to accommodate voters in need of assistance in voting.

Fiscal Summary

State Effect: General fund expenditures may increase by at least \$25,000 in FY 2022. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	25,000	0	0	0	0
Net Effect	(\$25,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local government expenditures increase beginning in FY 2022. Revenues are not affected. **The bill imposes 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 voting order priority requirement, including methods for providing notice of the option to request voting order priority to voters before an election.

The bill requires that the training materials used by the program of instruction of election judges developed by SBE, in consultation with the local boards of elections, include oral and written instruction in the various methods an election judge may use to accommodate voters in need of assistance at a polling site, including the ability to provide (1) individualized accommodations at the request of an elderly or disabled voter or an individual who accompanies an elderly or disabled voter and (2) voting order priority (as described above).

The bill also requires SBE to develop a sign to be posted at each polling site that states the various methods election judges may use to accommodate voters in need of assistance in voting, including the ability to provide (1) individualized accommodations at the request of an elderly or disabled voter or an individual who accompanies an elderly or disabled voter and (2) voting order priority. The sign must be, at a minimum, 24 inches by 36 inches in size and posted prominently at the entrance of each polling site.

Current Law: Statute does not currently specify any voting order priorities at polling places or early voting centers.

SBE is required to develop (and oversee the implementation of), in consultation with the local boards of elections, a program of instruction of election judges. The training materials used by the program may include (1) an instruction manual and other written directives; (2) curriculum for training sessions; and (3) audiovisuals. SBE must provide election judges with uniform statewide training on the voting system, including (1) all features of the voting system that provide access to voters with disabilities and (2) the rights of voters with disabilities, including those rights guaranteed by State and federal law. Each local board must conduct election judge training based on the program developed by SBE and each election judge, unless appointed under emergency circumstances, must participate in the program.

SBE, in consultation with the election directors of the local boards, must specify and produce certain informational materials to be posted in each polling place, including instructions relating to the availability of assistance to elderly and disabled voters.

State Fiscal Effect: General fund expenditures may increase in fiscal 2022 to the extent SBE needs to hire a consultant to assist the board in developing the portion of the program of instruction for election judges that covers the methods an election judge may use to accommodate voters in need of assistance at a polling site. The cost of such a contract may be at least \$25,000, to conduct outreach to local boards of elections and the disability community, research best practices, and develop the instructions, including instructions for determining which voters qualify for voting order priority on a case-by-case basis. To the extent a partnership or grant funding can be used to develop the training guidelines, there may be no material impact on general fund expenditures.

Local Fiscal Effect: Local government expenditures increase beginning in fiscal 2022, primarily to hire additional election judges to manage the voting order priority process, and/or purchase signs to meet the bill's sign requirement. Based on information provided by several jurisdictions contacted about implementation of the bill, the extent of the need for additional election judges and the costs for signs will vary by county. Estimated costs for additional election judges, for example, ranged from \$7,500 per election in Frederick County (for an additional election judge at each early voting center) to approximately \$150,000 per election in Montgomery County (for one to two additional election judges at each polling place and early voting center). Estimated costs for signs ranged from minimal costs in some counties to a one-time cost of \$27,800 in Anne Arundel County (for more substantial A-frame signs which could be reused for future election cycles and be more versatile in where they are placed).

Additional Information

Prior Introductions: HB 142 of 2020 passed the House with amendments and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: None.

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

Fiscal Note History:
rh/hlb

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