

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 619
Ways and Means

(Delegate Mangione, *et al.*)

Election Law - Polling Places at Continuing Care Retirement Communities

This bill requires that a separate precinct be established in a continuing care retirement community if the continuing care retirement community requests that a polling place be established on the community premises. **The bill takes effect June 1, 2022.**

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$2,500 per additional polling place in FY 2022 and by approximately \$1,000 per additional polling place annually thereafter. Revenues are not affected.

Local Effect: Local government expenditures increase, in certain counties, likely in the range of \$12,000 - \$23,000 per additional polling place in FY 2022 and in the range of \$4,000 - \$11,000 per additional polling place annually thereafter. **The bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The bill requires a local board of elections to establish a separate precinct in a continuing care retirement community specifically to serve at least the residents of the retirement community if the continuing care retirement community requests that a polling place be established on the community premises.

If a polling place is established at a continuing care retirement community, the continuing care retirement community must (1) provide without charge to the local board of elections a facility for use as a polling place that meets all applicable requirements under State election law and as established by the State Board of Elections (SBE) and (2) provide assistance to the local board of elections in recruiting election judges from among the residents of the continuing care retirement community to staff the polling place.

“Continuing care retirement community” means a facility in which a provider that holds a certificate of registration from the Maryland Department of Aging (MDOA) provides care to at least 200 individuals who are at least age 60 and not related by blood or marriage to the provider.

Current Law: As it deems expedient for the convenience of voters, a local board of elections may (1) create and alter the boundaries for precincts in the county; (2) designate the location for polling places in any election district, ward, or precinct in the county; and (3) combine or abolish precincts.

A local board must establish a separate precinct on campus, or within one-half mile of the campus, to specifically serve a public or private institution of higher education if the local board determines that at least 500 students, faculty, and staff who attend or work at the institution are registered voters in the precinct in which the institution is located. A local board is not required to establish a separate precinct if there is already an established precinct within one-half mile of the public or private institution of higher education’s campus that serves the voters who attend or work at the institution.

Pursuant to Chapters 656 and 657 of 2021, when a local board is establishing precinct boundaries and designating the location of polling places, the local board must contact and obtain input from large residential institutional communities including institutions of higher education, continuing care retirement communities, senior communities, and military installations.

State Fiscal Effect: General fund expenditures increase to the extent additional polling places are established at continuing care retirement communities pursuant to the bill. SBE shares voting system costs with the local boards of elections pursuant to Chapter 564 of 2001. Based on past county estimates of equipment needed per polling place, SBE costs increase by approximately \$2,500 per additional polling place in fiscal 2022 and by approximately \$1,000 per additional polling place annually thereafter, reflecting the State’s share of voting system costs for each additional polling place. Those costs are delayed, accordingly, if polling places are instead established in later fiscal years.

This estimate is based on costs for the State’s current voting system, the contract for which extends through the 2022 elections. Actual voting system costs associated with this bill

may vary from this estimate depending on how costs of the statewide voting system change for the 2024 and future elections.

Continuing Care Retirement Communities

MDOA indicates that there are 38 operating or approved continuing care retirement communities in Maryland. The communities contain just over 17,000 continuing care units, of which over 12,000 are independent living, over 2,000 are assisted living, and over 2,000 are nursing care. Of the 38 communities, 32 have 200 or more continuing care units.

Local Fiscal Effect: Local government expenditures increase to the extent additional polling places are established at continuing care retirement communities pursuant to the bill. Based on past county estimates of equipment and other costs for each polling place, local board of elections costs increase, likely in the range of \$12,000 - \$23,000 per additional polling place in fiscal 2022 and in the range of \$4,000 - \$11,000 per additional polling place annually thereafter. The additional costs account for the local boards of elections' share of voting system costs, plus election judge, poll book, supplies, and other costs. Those costs are delayed, accordingly, if polling places are instead established in later fiscal years.

As mentioned above, this estimate is based on costs for the State's current voting system, the contract for which extends through the 2022 elections. Actual voting system costs associated with this bill may vary from this estimate depending on how costs of the statewide voting system change for the 2024 and future elections.

Additional Information

Prior Introductions: HB 895 of 2021 received a hearing in the House Ways and Means Committee, but no further action was taken. HB 1107 of 2020 received a hearing in the House Ways and Means Committee, but no further action was taken. Its cross file, SB 22, received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee. SB 411 of 2019 received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee.

Designated Cross File: None.

Information Source(s): Maryland Department of Aging; Baltimore City; Baltimore, Calvert, Charles, Frederick, Prince George's, and Somerset counties; Department of Legislative Services

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km/hlb

Analysis by: Scott D. Kennedy

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