

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

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

Senate Bill 89 (Senator Carter)  
Education, Energy, and the Environment

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**Elections - Ballot Questions - Publication of Proposed Laws**

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This bill requires – for specified types of ballot questions – that the State Board of Elections (SBE) and each applicable local board of elections post in a manner widely accessible to the public for at least 65 days before the general election the complete text of the constitution, charter, amendment, or enactment that is being submitted to the voters.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State finances.

**Local Effect:** The bill does not materially affect local government finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A local board of elections must provide notice of each question to be submitted statewide and each question to be submitted to the voters of the county by (1) specimen ballot mailed at least one week before any early voting period before the general election or (2) publication or dissemination by mass communication during the three weeks immediately preceding the general election at which a question will appear on the ballot. For a ballot question regarding an amendment to the Maryland Constitution or regarding an enactment of the General Assembly that has been petitioned to referendum, the notice must include both the ballot question and a brief statement, prepared in clear and concise language, devoid of technical and legal terms to the extent practicable, summarizing the question.

The complete text of a ballot question must be posted or available for public inspection in the office of SBE and each applicable local board of elections for 65 days prior to the general election. An individual may receive without charge a copy of the complete text of all constitutional amendments and questions from a local board, either in person, by mail, or electronically.

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### **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** HB 177 (Delegate Feldmark, *et al.*) - Ways and Means.

**Information Source(s):** Baltimore, Carroll, Frederick, Montgomery, and Somerset counties; Maryland State Board of Elections; Department of Legislative Services

**Fiscal Note History:** First Reader - January 30, 2023  
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