

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**Enrolled - Revised**

House Bill 700  
Ways and Means

(Delegates D. Jones and Fair)

Education, Energy, and the Environment

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**Election Law - Election Judges - Revisions**

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This bill defines “returning election judge,” for the purpose of the existing additional compensation provided to returning election judges, to mean an election judge who has served a term of office for the immediately preceding statewide election. The bill requires that a county employee who serves as an election judge during the hours that the employee is scheduled to work receive administrative leave and election judge compensation. The bill alters a requirement that the State Board of Elections (SBE) develop and provide to the local boards of elections a specified election judge recruitment marketing campaign so that, instead, SBE must develop *and implement* the marketing campaign and local boards may supplement the campaign. The bill also requires SBE to adopt regulations to standardize and minimize specified forms or documentation required of election judges. **The bill takes effect January 1, 2025.**

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**Fiscal Summary**

**State Effect:** General fund expenditures decrease annually, beginning in FY 2026. Under one set of assumptions (discussed below), general fund expenditures decrease by approximately \$190,100 annually, beginning in FY 2026. Revenues are not affected.

**Local Effect:** Local government expenditures increase by \$25,000 in FY 2025 and decrease annually beginning in FY 2026. Under one set of assumptions (discussed below), local government expenditures decrease, collectively, by approximately \$190,100 annually, beginning in FY 2026. Revenues are not affected.

**Small Business Effect:** None.

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## Analysis

### Bill Summary:

#### *Compensation*

##### *Returning Election Judge*

The bill establishes that only election judges who have served a term of office for the immediately preceding statewide election (defined under the bill as “returning election judges”) receive at least \$100 more per day in compensation than other election judges. Under current law, any election judge who has previously served as an election judge receives the extra compensation.

##### *County Employee Service as an Election Judge*

The bill requires that a county employee who serves as an election judge during hours that the employee is otherwise scheduled to work for the county receive (1) one hour of administrative leave for each hour of service as an election judge, up to a total of eight hours for each day of service and (2) the applicable election judge compensation.

#### *Recruitment Marketing Campaign*

The bill alters a requirement (established under Chapter 157 of 2023) that SBE develop and provide to the local boards of elections a specified marketing campaign to recruit individuals to serve as election judges in polling places in the State. The bill alters the requirement so that SBE must develop *and implement* the marketing campaign to recruit individuals to serve as election judges in polling places in the State. The bill also authorizes a local board to supplement the marketing campaign implemented by SBE.

#### *Standardized and Minimized Forms or Documentation*

The bill requires SBE to adopt regulations to standardize and minimize forms or documentation required to (1) apply to serve as an election judge; (2) serve as an election judge; or (3) receive compensation for service as an election judge. A local board of elections or county government may not require additional forms or documentation for election judges or prospective election judges in excess of the forms or documentation required in the SBE regulations.

## **Current Law:**

### *Election Judge Minimum Compensation*

Chapter 157 established minimum compensation levels for election judges. For each election judge who has not previously served as an election judge, the compensation must be at least \$250 per day for each Election Day and each early voting day actually served. For each election judge who has previously served as an election judge, the compensation for each Election Day and each early voting day actually served must be at least \$100 more per day than the compensation provided to an election judge who has not previously served as an election judge. SBE must reimburse each local board of elections for \$50 of the extra compensation that is paid to each returning election judge (who has previously served as an election judge). Each election judge must be paid at least \$50 for each course of instruction the election judge completes.

SBE regulations define “previously served” to mean an election judge who (1) was previously appointed as an election judge under State law; (2) completed a term of office; and (3) served in the capacity of an election judge during the term of office in a statewide primary, general, or special election. “Term of office” means the time from appointment to the office of election judge through the Tuesday that is 13 weeks before the next statewide primary election.

### *State Employee Service as an Election Judge*

A State employee who serves as an election judge during hours that the employee is otherwise scheduled to work for the State (1) may use one hour of administrative leave for each hour of service as an election judge, up to a total of eight hours for each day of service, and (2) must receive the applicable election judge compensation.

### *Recruitment Marketing Campaign*

Chapter 157 requires SBE to develop and provide to the local boards of elections a marketing campaign to recruit individuals to serve as election judges in polling places in the State. The marketing campaign must (1) disseminate information on the importance of election judges; (2) disseminate information on how to apply to be an election judge, eligibility requirements, and compensation; and (3) target diverse voter populations, including multilingual individuals.

## *Local Board Guidelines for Election Judge Qualification and Appointment*

A local board of elections may adopt guidelines consistent with applicable State law for the determination of the qualifications of persons considered for appointment and for the process of appointment as election judges.

### **State Fiscal Effect:**

#### *Definition of “Returning Election Judge”*

General fund expenditures decrease annually, beginning in fiscal 2026, due to the bill’s definition of “returning election judge” reducing the number of election judges who receive additional compensation during the 2026 primary election (accounting for the bill’s January 1, 2025 effective date) and future elections.

The extent of the decrease cannot be reliably estimated at this time. Sufficient data is not available to estimate how many election judges will receive the additional compensation under current law and under the bill; however, *for illustrative purposes*, if it is assumed that 75% of election judges receive the additional compensation under current law and only 65% receive the additional compensation under the bill, general fund expenditures decrease by approximately \$190,100 annually beginning in fiscal 2026, reflecting a reduction in the State’s costs to reimburse the local boards of elections for \$50 of the minimum \$100 additional compensation provided to returning election judges.

#### *Alteration of Marketing Campaign Requirement*

This analysis assumes that the bill’s alteration of the marketing campaign requirement does not materially affect State (or local) finances because the alteration conforms to the assumption made in [the fiscal and policy note for House Bill 1200 \(Chapter 157\) of 2023](#) (which established the marketing campaign requirement) that SBE develops and implements the campaign on behalf of the local boards. The cost of the campaign has already been accounted for in the fiscal and policy note for House Bill 1200 – an estimated cost of \$1.25 million to 1.35 million in the first fiscal year of implementation (split 50/50 between SBE and the local boards) and similar costs in subsequent fiscal years. The alteration made by this bill should have no additional fiscal impact beyond what has already been accounted for in the fiscal and policy note for House Bill 1200.

**Local Fiscal Effect:** Local government expenditures increase by \$25,000 in fiscal 2025 and decrease annually beginning in fiscal 2026, due to (1) one-time programming costs (\$25,000) in fiscal 2025 to modify the election judge module of the statewide voter registration system to identify “returning election judges,” as defined by the bill, to receive additional compensation and (2) the bill’s definition of “returning election judge” reducing

the number of election judges who receive additional compensation during the 2026 primary election (held in fiscal 2026) and future elections.

As stated above under the State Fiscal Effect, the extent of the decrease in costs (in fiscal 2026 and future years) for additional election judge compensation cannot be reliably estimated at this time; however, *for illustrative purposes*, under the assumptions stated above, local government expenditures decrease by approximately \$190,100 annually beginning in fiscal 2026, reflecting a reduction in the local boards' \$50 share of the minimum \$100 additional compensation provided to returning election judges.

As discussed under the State Fiscal Effect, the bill's alteration of the marketing campaign requirement is assumed to not materially affect local finances because the alteration conforms to the assumption made in the fiscal and policy note for House Bill 1200 that SBE develops and implements the campaign on behalf of the local boards. The bill's authorization for a local board to supplement the marketing campaign is also assumed to not materially affect local finances since a local board can undertake election judge recruitment efforts even in the absence of the bill.

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### **Additional Information**

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

**Designated Cross File:** None.

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

**Fiscal Note History:** First Reader - February 12, 2024  
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