

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 710 (Delegate Wilkins)
Ways and Means

Election Law - Incarcerated Individuals - Voter Hotline and Voting Eligibility
(Voting Rights for All Act)

This bill repeals the State law provision that establishes that an individual is not qualified to be a registered voter if the individual has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction. In addition, the bill requires the State Board of Elections (SBE) to provide a toll-free voter hotline for incarcerated individuals.

Fiscal Summary

State Effect: General fund expenditures increase by \$4,400 annually beginning in FY 2026. Revenues are not affected.

Local Effect: Local government expenditures increase by \$4,400 annually beginning in FY 2026. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary:

Voter Qualifications

The bill repeals (1) the State law provision that establishes that an individual is not qualified to be a registered voter if the individual has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction and (2) the

corresponding prohibition against such a person voting or attempting to vote during the time that they are rendered ineligible.

The bill also repeals requirements (1) that, each month, the clerk of the circuit court for each county and the administrative clerk for each District Court report to the State Administrator of Elections the names and addresses of all individuals convicted, in the respective court, of a felony and sentenced to imprisonment with commitment papers and (2) that the State Administrator make arrangements with the clerk of the U.S. District Court for the District of Maryland to receive reports of names and addresses, if available, of individuals convicted of a felony in that court and sentenced to imprisonment with commitment papers.

Toll-free Voter Hotline for Incarcerated Individuals

SBE must provide a toll-free voter hotline for incarcerated individuals to receive information about voting, request election-related materials, and report voting rights violations. SBE must adopt regulations in collaboration with the Department of Public Safety and Correctional Services (DPSCS) and correctional facilities for the administration of the voter hotline.

Current Law:

Voter Qualifications

Under State law, with certain exceptions, an individual may register to vote if the individual is a citizen of the United States, is at least age 16, and is a resident of the State as of the day the individual seeks to register. A person who has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction is not qualified to be a registered voter.

A person who has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction, and has been rendered ineligible to vote pursuant to State voter registration qualification provisions, may not vote or attempt to vote during the time that the person is rendered ineligible to vote. A person who violates that prohibition is guilty of a felony and subject to imprisonment for at least one year and up to five years.

Eligible Voter Program

SBE must adopt regulations establishing a program to inform individuals incarcerated in a correctional facility who have the right to vote (referred to as “eligible voters”) of upcoming elections and how they may exercise the right to vote.

“Correctional facility,” under these provisions, is defined as a facility for detaining or confining individuals that is operated by a correctional unit. “Correctional unit” is defined as a unit of Maryland State or local government that is directly responsible for the care, custody, and control of individuals committed to the custody of the unit for the commission or alleged commission of a crime or an act that would be a crime if committed by an adult. “Correctional unit” includes DPSCS, the Department of Juvenile Services, and the office of the sheriff of a county or other unit of government with responsibility for operating a local correctional facility or county detention center.

Each correctional facility must cooperate fully with SBE and the local boards of elections in implementing the program. The regulations adopted by SBE must require SBE or the local boards of elections to:

- disseminate information on eligibility requirements to register to vote and voter registration applications to eligible voters at least 30 days before the deadline to register to vote before each election;
- disseminate instructions on absentee voting, absentee ballot applications, and absentee ballots before each election in a timely manner;
- provide frequent opportunities for eligible voters to register to vote and to vote; and
- provide for the timely return of voter registration applications, absentee ballot applications, and absentee ballots completed by eligible voters.

By January 15 each year, SBE must submit a report to specified legislative committees that includes the following information, disaggregated by correctional facility:

- the number of eligible voters who registered to vote, attempted to vote, and voted successfully by absentee ballot during the immediately preceding calendar year;
- the number of times SBE or a local board of elections visited each correctional facility during the immediately preceding calendar year, the duration of each visit, and a description of the work done at each correctional facility;
- a description of any obstacles to implementing the program informing eligible incarcerated individuals of upcoming elections and how to exercise their right to vote; and
- any recommendations for improving the implementation of the program.

State and Local Fiscal Effect: State general fund expenditures and local government expenditures each increase by \$4,400 (\$8,800 total) annually beginning in fiscal 2026, accounting for costs of sending election-related information (under the eligible voter program described above) to incarcerated individuals who are newly eligible to vote under

the bill. These costs are assumed to be shared by SBE and the local boards. SBE expects to absorb within existing resources any costs of establishing the toll-free voter hotline.

Additional Information

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

Designated Cross File: SB 647 (Senator Muse) - Education, Energy, and the Environment.

Information Source(s): Baltimore, Carroll, Harford, and St. Mary's counties; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Maryland State Board of Elections; Department of Legislative Services

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