



House Bill 759

Election Law - Postelection Tabulation Audits - Risk-Limiting Audits

MACo Position: **OPPOSE**

To: Ways and Means Committee

Date: February 16, 2021

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **OPPOSES** HB 759. This bill requires the State Board of Elections, in collaboration with the local boards of elections, to conduct a risk-limiting audit of specified state and local contests following each statewide election.

Counties are concerned this legislation places a substantial administrative and cost burden onto local boards of elections, whose operations are supported by county funding. Without state resources to offset these potentially large costs, the bill represents an unfunded mandate on local governments.

Risk-limiting audits employ statistical methods to ensure that election results match voter selections reflected on paper ballots. MACo does not raise policy objections to employing risk-limiting audits to verify election results – county concerns are merely practical and cost-driven.

As a rule, MACo resists state policies that result in costly or burdensome local implementation. This bill would result in substantial costs to local boards of elections, which are charged with providing temporary staff and facilities to support the audits, and for compensating election judges to serve as audit team members. Local Boards of Elections indicate costs per county ranging up to hundreds of thousands of dollars per election.

Under state law, counties have no choice but to fund these costs – competing for limited local funds against public health, schools, public safety, roadway maintenance, and other essential public services.

This bill would place a costly mandate on county governments to carry out new state policy. Accordingly, without funds and possible technical assistance to suitably implement the bill's requirements, MACo urges the Committee to issue an **UNFAVORABLE** report on HB 759.