



MARYLAND
Association of
COUNTIES

House Bill 1038

*State Board of Elections – Membership, Contract Management, Ballot Drop Boxes,
and Voting System Financing*

MACo Position: **SUPPORT**

To: Ways and Means Committee

Date: March 9, 2021

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1038. This bill addresses a priority initiative of Maryland's 24 county jurisdictions. It will clarify and update election laws with an emphasis on fairness, transparency, and accountability.

An essential function of Maryland's county governments is to fund and oversee elections, which proved challenging amidst the pandemic. Current law fails to recognize modern trends in voter preference, capabilities of new technologies, and realities of administering elections in our local communities. Even once health concerns abate, the State's odd, antiquated mix of laws and practices in governing elections deserves a much-needed reboot.

Too often, the State makes unilateral decisions that oblige county funds — with zero local input. Counties, who actually run elections, need to be at the table for major contracts and procurement decisions, as part of a true partnership with the State. As such, HB 1038 requires the State Board of Elections (SBE) to take necessary and appropriate steps to provide transparency and accountability for these transactions, which will afford ample opportunity for input from local governments and Maryland voters.

Since 2001, the State has relied on uncodified language from one bill to govern the funding responsibility between the State and counties for voting machines and related systems. However, the statutory language is vague, and SBE often makes arbitrary decisions that shift administrative and cost burdens onto local Boards of Elections, whose operations are supported by county funding.

Without proper resources to offset substantial costs for election systems, equipment purchases/leases, equipment storage and transportation, staff compensation and training, and other overhead, these state-mandated expenditures represent significant unfunded mandates on county governments. By clarifying and codifying the 20-year precedent for the funding split, this bill delivers stability and predictability for State and local budgets.

HB 1038 provides necessary and timely policy changes that balance the shared goals of providing fair, open, and transparent elections. Accordingly, MACo requests a **FAVORABLE** report on HB 1038.