

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 221 (Delegates Bouchat and Hornberger)
Government, Labor, and Elections

Election Law - Primary Elections - Change of Political Party Affiliation

This proposed constitutional amendment, if approved by the voters at the next general election, authorizes a voter, during a primary election, to appear in person at an early voting center or precinct polling place, change the voter’s political party affiliation, and vote the ballot for the voter’s new political party affiliation. Contingent on the passage of the proposed amendment, and its ratification by the voters, the bill makes a conforming change to § 3-303 of the Election Law Article (which governs change of party affiliation).

Fiscal Summary

State Effect: If the proposed constitutional amendment is approved by the voters, general fund expenditures are expected to increase by an indeterminate amount beginning in FY 2028 and in future years in which a primary election occurs, as discussed below. Under one (illustrative) set of assumptions, general fund expenditures increase by \$154,000 in FY 2028. Revenues are not affected.

Local Effect: If the proposed constitutional amendment is approved by the voters, local government expenditures are expected to increase by an indeterminate amount beginning in FY 2028 and in future years in which a primary election occurs, as discussed below. Under one (illustrative) set of assumptions, local government expenditures increase, collectively, by at least \$480,000 in FY 2028. Revenues are not affected.

Small Business Effect: Minimal.

Analysis

Current Law: Party affiliation changes can be made at any time that voter registration is open. Voter registration is only closed beginning on the twenty-first day preceding an election until the eleventh day after the election. There are certain exceptions to the close of registration during that time period: (1) during early voting, an individual may appear in person at an early voting center in the individual's county of residence and apply to register to vote or change the voter's address on an existing voter registration, then subsequently vote the appropriate ballot; and (2) on Election Day, an individual may appear at a precinct polling place in the individual's county of residence and apply to register to vote, and then vote.

State and Local Fiscal Effect: If the proposed constitutional amendment is approved by the voters at the 2026 general election, State and local government expenditures are expected to increase beginning in fiscal 2028 (and in future years in which a primary election occurs) to implement the bill in fiscal years in which a primary election occurs; however, the extent of additional costs cannot be reliably estimated at this time primarily for two reasons:

- *Uncertain Method of Implementation* – It is unclear whether voters who choose to change party affiliation at an early voting center or Election Day polling place can be allowed to vote a regular ballot. The State Board of Elections (SBE) indicates that such voters cannot vote a regular ballot under the current pollbook and voter registration systems (which are set to be replaced prior to the 2028 and 2030 elections, respectively), and it appears that, in at least the 2028 primary election, voters will need to vote a provisional ballot, unless changes are made, prior to the 2028 primary election, at likely significant cost (based on indications from SBE), to the soon-to-be-replaced voter registration system.
- *Uncertain Amount of Voters Who Will Change Party Affiliation* – It is uncertain how many voters choose, under the bill, to change their party affiliation at an early voting center or Election Day polling place in a primary election.

For illustrative purposes only, general fund expenditures increase by \$154,000 and local government expenditures increase by at least \$480,000 in fiscal 2028, if certain assumptions are made, including that voters who change their party affiliation vote a provisional ballot. This illustrative estimate accounts for costs of additional paper ballots and additional provisional ballot election judges (two of the larger costs expected to be incurred), as well as costs for voter education and revision of the provisional ballot application. This estimate is based on the following assumptions/information:

- *Additional Ballots (State – \$56,000; local – \$56,000)* – 500,000 additional ballots are ordered (at \$0.23 per ballot), to be prepared for a certain portion of voters turning out to vote, changing their affiliation (or non-affiliation), and voting a different ballot than expected. Paper ballot costs are shared by SBE and the local boards.
- *Additional Provisional Judges (State – \$58,000; local – \$383,000)* – An additional provisional ballot election judge is needed at each early voting center and at least 25% of Election Day polling places to administer provisional voting for additional voters. Costs of election judges are largely borne by the local boards, with the exception of the additional \$100 paid to returning election judges, of which SBE pays half.
- *Voter Education and Revision of the Provisional Ballot Application (State – \$40,000; local – \$40,000)* – These are estimated costs based on information provided by SBE (for this bill and past legislation), assumed to be shared costs.

Additional costs, not accounted for in the above illustrative estimate, include costs of additional provisional ballot canvassing staff, provisional ballot applications, and additional ballot transport carts.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 890 of 2025.

Designated Cross File: None.

Information Source(s): Baltimore City; Montgomery and Worcester counties; Maryland State Board of Elections; Department of Legislative Services

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