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HB 202- SUPPORT
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Testimony on Faithful Presidential Electors (HB202)
By Hon. Michael Steele
Maryland House Ways and Means Committee
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Dear Chairwoman Kaiser and Members of the Ways and Means Committee, I am grateful for the opportunity to provide written testimony in favor of the Faithful Presidential Elector Bill (HB202) introduced by Delegate Dana Stein. Please know, I wish I could be there with you to present my testimony in person today.

We have come to appreciate over the course of this Presidential Election not only how precious every citizen's vote is, but how important the electoral process is as well. For the first time in probably a long time, if ever, citizens watched closely as electors gathered here in Annapolis to cast our State's 10 electoral college votes for President. However, this time-honored process was not without questions and concerns about the possible actions of "faithless electors."

Currently, Maryland law states presidential electors "shall cast their votes" for the candidates that his or her political party nominated for President and Vice President. However, the law does not contain any mechanism for ensuring that Maryland's presidential electors vote in the manner expected and specified by law. Moreover, existing Maryland law does not contain any penalty if a presidential elector votes for someone other than the presidential and vice-presidential nominees of their own political party.

In 2020, the U.S. Supreme Court unanimously ruled that states can adopt procedures to ensure that presidential electors vote in the manner expected and specified by the state's law.

HB202 contains all the essential features of the *Uniform Faithful Presidential Electors Act* ("UFPEA") recommended by the National Conference of Commissioners on Uniform State Laws. Like the UFPEA, HB202 calls for the election of both electors and alternate electors and provides the statutory remedy for ensuring that Maryland's presidential electors actually vote in the manner expected and specified by law. In fact, HB202 has a state administered pledge of faithfulness; and any attempt by a presidential elector to submit a vote in violation of his or her pledge effectively constitutes resignation from the office of elector. In such case, a mechanism for filling a vacancy created for that reason or any other is also provided.

HB202 is an important next step in the evolution of Maryland's presidential election process. In addition to securing the ballot box for every voter, it is also equally important to secure the electoral college process from the political machinations of faithless electors and those who seek to disrupt the will and the vote of Maryland voters.

Thank you.