



**HB412: General Assembly – Special Election to Fill a Vacancy in Office  
Ways and Means**

**February 6, 2024**

**Emily Scarr, Maryland PIRG**

**Favorable**

*Maryland PIRG is a state based, small donor funded public interest advocacy organization with grassroots members across the state. We work to find common ground around common sense solutions that will help ensure a healthier, safer, more secure future.*

Our democracy works best when everyone has a voice and everyone is represented. Voting for our local, state and federal representatives is fundamental to this vision, and is step one in a civically-engaged electorate and responsive government.

**Twenty-eight states have some sort of special elections process for replacing legislative vacancies and it is time for Maryland to join them.**

This legislation will reform the current appointment process by holding a special election in the second year of a Maryland General Assembly term. This is a step in the right direction to reduce the role of appointments, but Maryland PIRG would support full special elections or more robust special elections if possible to reduce or eliminate the role of appointments.

The numbers vary year to year, but more than one in five Maryland state legislators were initially appointed by a Democratic or Republican Central Committee rather than elected by voters.

These policymakers are committed to public service and their districts. But our democracy would be stronger if we joined state legislatures across the country that hold special elections to fill vacancies. Maryland is the only state with four-year State House terms, other than North Dakota, that relies on this political party appointment process.

When the next election comes around, appointed legislators enjoy the benefit of incumbency and the increased opportunity to earn the support of their district mates. They are generally elected to a full four-year term.

Central Committee members charged with making recommendations to the Governor to make these appointments are elected by their party, but independent voters and those from the other party have no say in this process.

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There are some benefits to this system. It saves money by avoiding the costs of a special election. But holding special elections for vacancies is a more democratic process, and a price we should pay.

There are also concerns that ending special elections will hurt candidates who are disadvantaged in the traditional election system, including women, people of color and young people. However noble, this intent should not be a reason to withhold the right to vote. Fortunately, there are democratic tools to realize the goal of ensuring we have a representative General Assembly where candidates with a diversity in gender, race, age, and socio-economic background are able to run competitive races for office. One of the best tools the state has to reach this goal is small donor public financing, which is reducing barriers for seeking office in communities across the state. The legislature would be well served to adopt the program for state legislative offices.

Our state legislators make important decisions on education, health, the environment and how our tax dollars are spent. Maryland is a national leader on democracy and ballot access. It's time to democratize the process to fill vacancies and support policies that are proven effective in building a representative democracy.

**We respectfully request a favorable report.**