



TESTIMONY TO THE HOUSE WAYS AND MEANS COMMITTEE

HB 800 – Voting Rights Act of 2024 - Counties and Municipalities

POSITION: Favorable

BY: Linda Kohn, President

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The League of Women Voters was founded on the concept that voter participation is the essential element of a successful democracy. Our organization has worked for over 100 years to assure the right to vote of every citizen is protected. Last session, we testified in the Senate that while we respected the intention of the national organizations who brought the concept of preserving important elements of the 1965 federal Voting Rights Act to Maryland Law, we had reservations about some aspects of the 2023 VRA. Since then, we have worked with national and state-wide voting rights advocates to modify the bill in significant ways.

One of the major changes in the 2024 version of the VRA is that counties and Baltimore City are no longer subject to pre-clearance by the Attorney General or the Court for changes in election administration. The Maryland Legislature has enacted many laws that aim to achieve an election system that is accessible, fair and accurate and that require oversight by the State Board of Elections. HB 410, that you passed last year, also increases oversight responsibilities of SBE and requires actions that would enhance community input into significant changes in election administration. Eliminating pre-clearance for election administration for Counties and Baltimore City makes this a much better bill.

We now have a greater understanding of the remaining pre-clearance provisions in the VRA of 2024 and how they would work. While counties would not be subject to pre-clearance for voting administration, if they have a history of drawing election districts for county council, county commissioner or Board of Education that have been challenged in court, or have been determined by proven statistical calculations that vote dilution has been taking place, when the time comes to draw new districts after the next census, those districts would have to be approved by the Attorney General's Office or the court. The same would be true of municipalities. In the hearing and written documents, you will be provided with evidence that this has been a problem in some jurisdictions.

Municipalities have very little oversight for how they run their elections. If there has been no evidence of prior incidence of vote dilution, or vote denial they will continue to operate their elections as they have always done. If the Attorney General determines, based on statistical and legal actions, that there is a problem, they will need to clear changes to election administration through that office or the courts, before being implemented.

Maryland, like many states, has been relying on the 1965 Voting Rights Act as the backbone for litigation to protect voting rights. By having a Maryland Voting Rights Act, our voters will be protected if the federal VRA is even further weakened by a system that is less expensive and more expedient than our current situation. Let's join the states that have enacted a VRA and demonstrate our commitment to protecting voting rights.

We request a favorable report on HB 800.