

# **SB0005 – General Assembly – Special Election to Fi**

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR  
SB0005 – General Assembly – Special Election to Fill a Vacancy in Office**

**Bill Sponsor:** Senator Kagan  
**Committee:** Education, Energy, and the Environment  
**Organization Submitting:** Maryland Legislative Coalition  
**Person Submitting:** Aileen Alex, Co-chair  
**Position:** FAVORABLE

Chair, Vice Chair, and Members of the Committee,

I am submitting this testimony in strong support of SB0005 on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

SB0005 strengthens Maryland’s commitment to representative democracy by ensuring that vacancies in the General Assembly are filled through a transparent, timely, and voter-centered process. Under current law, appointments to fill legislative vacancies are made by central committees, which can leave constituents without a direct voice in selecting their new representative. In an era when trust in government is fragile, Marylanders deserve a process that maximizes public participation and reinforces confidence in the legitimacy of their elected officials.

This bill establishes a clear and orderly process to ensure that when a General Assembly seat is initially filled by appointment, voters have the opportunity to elect a permanent replacement during the next regular statewide election—as long as the vacancy occurs early enough in the term to allow meaningful voter participation. By aligning the special election timeline with existing election administration deadlines, SB0005 enables the State Board of Elections to conduct these elections efficiently and without unnecessary cost. The bill also maintains the option for temporary appointments when needed, while ultimately ensuring that voters—not party committees—decide who represents them in Annapolis.

For the Maryland Legislative Coalition, whose mission is to inform and empower voters, SB0005 is a commonsense reform that strengthens democratic accountability. When constituents have the opportunity to select their own legislators, it enhances public trust, improves responsiveness, and ensures that every district has a representative chosen by the people they serve.

For these reasons, we respectfully urge a **FAVORABLE** report on SB0005.

# **SEIU Local 500 Testimony in Support of SB 5 2026.p**

Uploaded by: Christopher Cano

Position: FAV



Testimony - SB 5, General Assembly - Special Election to Fill a Vacancy in Office  
Favorable

Senate Education, Energy, and the Environment Committee

January 21, 2026

Christopher C. Cano, MPA

Director of Political & Legislative Affairs on Behalf of SEIU Local 500

Honorable Chairman Feldman & Members of the Senate Education, Energy, and the  
Environment Committee

On behalf of SEIU Local 500, which represents tens of thousands of public service and education workers across Maryland, we respectfully submit the following favorable testimony in support of Senate Bill 5.

SEIU Local 500 strongly supports SB 5 because it strengthens democratic accountability and ensures that Maryland voters—rather than political insiders—have a timely voice in choosing their representatives in the General Assembly.

Under current law, legislative vacancies are routinely filled by appointment for the remainder of a term, even when a vacancy occurs early enough to allow for a fair and efficient election. SB 5 provides a balanced and commonsense reform: when a vacancy occurs with sufficient time before the second-year statewide election, voters are given the opportunity to elect their Delegate or Senator during the regularly scheduled primary and general elections. This approach respects both administrative efficiency and the fundamental principle of representative democracy.

For working people, representation matters. Decisions made in the General Assembly directly affect wages, benefits, workplace safety, education funding, and public services. When a legislative seat is filled for years without a vote of the people, workers lose a meaningful opportunity to hold their elected officials accountable. SB 5 helps close that gap by ensuring that appointments are temporary when an election is feasible.

Importantly, SB 5 does not eliminate the appointment process altogether. It preserves continuity of government by allowing the Governor to appoint an interim legislator, while making clear that long-term service should be determined by the electorate whenever possible. This is a responsible and thoughtful reform that balances stability with democracy.

SEIU Local 500 believes that Maryland's democracy is strongest when voter participation is maximized and when elected officials are chosen at the ballot box. SB 5 moves the state in that direction.

For these reasons, we urge a favorable report on Senate Bill 5.

Our Executive Director, Travis Simon, would like to extend a special thank you to Senator Kagan for her leadership on this issue.

Thank you for your time and consideration.

Christopher C. Cano, MPA  
Director of Political & Legislative Affairs  
SEIU Local 500

# **SB 5 FAV - David Weinberg, Protect Democracy Unite**

Uploaded by: David Weinberg

Position: FAV

**Committee: Education, Energy, and the Environment**

**Testimony on: SB 5 General Assembly –  
Special Election to Fill a Vacancy in Office**

**Position: Favorable**

**Hearing Date: January 21, 2026**

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Chair Feldman, Vice Chair Kagan, and distinguished Members of this Committee, thank you for the opportunity to submit written testimony for your hearing today.

My name is Dr. David Weinberg, and I am writing to you in my capacity as a Policy Strategist for Protect Democracy United, a cross-partisan 501(c)(4) that seeks to strengthen the representative institutions of our system of government. I am also a proud Maryland resident.

Protect Democracy United encourages you to issue a favorable report on Senate Bill 5.

This bill is a proposed constitutional amendment that would incrementally but meaningfully strengthen Maryland's democracy. Because after all, what is a democracy? It is a system of government in which the voters get to choose their leaders. And yet in both the Senate and the House of our state, more than two in ten lawmakers originally came to be members of the General Assembly through their appointment instead of by election.

We have become inured to this practice because it's how things have historically been done here in Maryland, but that doesn't mean it's how we should continue to operate here in the Free State. Especially at a time when our nation's democracy is under such severe pressure, we should aspire to set the best possible example for the rest of the country.

This bill is also important for mitigating public apathy toward civic participation, especially among our youth. If we want the next generation to believe that democracy is the right form of government for our state and for our nation, we should ensure that voters are the ones who get to choose

their elected representatives whenever doing so is feasible.

This bill strikes a reasonable balance between those lofty ideals and real-world practicalities, minimizing the burden on our hardworking election officials as well as on our taxpayers by only holding such special elections once every four years, on a preexisting election date. And it still leaves open a pathway to better representation for underrepresented communities through the appointment process, since it would only trigger a special election for vacancies that arise well before the middle of a four-year term.

I am probably preaching to the choir here. To your immense credit, the Senate has sent versions of this bill to the House for four out of the last five years.

But this year is the time to act. If the General Assembly finally sends this referendum to voters this November, Maryland will hold its first such special elections to fill legislative vacancies in 2028. Otherwise, that wouldn't be a possibility until November 2032 – at the earliest.

For these reasons, we hope you will issue a favorable report on SB 5. Thank you for your consideration.

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For more information, contact:

**David A. Weinberg**

Policy Strategist

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#### **ABOUT US**

Protect Democracy United is a nonpartisan, nonprofit group working to prevent American democracy from declining into a more authoritarian form of government.

**WDC Testimony - SB0005 2026 - Support.pdf**

Uploaded by: Dorothy Manevich

Position: FAV



MONTGOMERY COUNTY, MARYLAND  
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

[www.womensdemocraticclub.org](http://www.womensdemocraticclub.org)

**Senate Bill 0005—Special Election to Fill a Vacancy in Office**

**Education, Energy and the Environment Committee – January 21, 2026**

**SUPPORT**

Thank you for this opportunity to submit testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2026 legislative session. WDC is one of the largest and most active Democratic clubs in our county with hundreds of politically active members, including many elected officials.

WDC urges the passage of SB005. We support this bill because it will increase the number of legislators elected by citizens of their district. In Montgomery County, 29% of current Delegates (5) and Senators (1) were first appointed by the Governor on the recommendation of a partisan central committee.

The current appointment process is undemocratic and unacceptable. Appointment confers unfair electoral advantages in stature, communications, and fundraising on the office-holding appointee that no challenger will possess. In Montgomery County, that advantage is conferred by a vote of 25 Central Committee members, only two of whom are guaranteed to live in the district of the Delegate or Senator who is appointed. In some cases, citizens are deprived of their right to vote for their legislators for almost four years.

Some ask about “cost” and “inconvenience.” Such factors do not justify removing the franchise from voters. With the widespread use of mail-in voting, special elections can be held far more easily and with less cost and inconvenience than might have been the case even a few years ago. According to the National Conference of State Legislatures, 25 states respect that open and fair elections are the bedrock of democracy and fill their legislative vacancies with special elections. It is time for Maryland to join them.

**We ask for your support for SB0005 and strongly urge a favorable Committee report.**

Cynthia Rubenstein  
WDC President

Kate Stein  
WDC Advocacy  
Chair

Dorothy Manevich  
WDC Advancing  
Democracy  
Subcommittee

Lynn Olsen  
WDC Advancing  
Democracy  
Subcommittee

**SB0005 - Favorable - Jayson Spiegel.pdf**

Uploaded by: Jayson Spiegel

Position: FAV

**JAYSON L. SPIEGEL**  
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January 21, 2025

Honorable Brian Feldman  
Honorable Cheryl Kagan  
Senate Education, Energy and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, MD 21401

Re: **Request for Favorable Report SB0005**, General Assembly - Special Election to Fill a Vacancy in Office

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee::

I urge the Committee to issue a favorable report on SB0005. I am providing this testimony in my personal capacity as a Maryland resident. Although I am a member of the Montgomery County Democratic Central Committee (MCDCC), the opinions expressed herein do not reflect the opinions of other Central Committee members; they are mine alone.

Elections are the cornerstone of a democracy which in turn is the source of our freedom as Americans. Vacancies in office are inevitable, especially during the transition from one party holding the Governorship to another party. Maryland is not unique in that regard. Members of Congress often resign to accept positions in the administration of a new President.

Five legislative vacancies in Montgomery County have been filled since 2024. More than 40% of Montgomery County's delegation and almost 25% of all Maryland General Assembly members entered the legislature for the first time by appointment rather than election.

As a member of the MCDCC, I participated in the process of selecting nominees to fill legislative vacancies. I can personally attest to the fact that all my colleagues took the responsibility seriously and invested a substantial amount of time learning about the applicants. While the Central Committee selected outstanding public servants to fill vacancies in the General Assembly over the past two years, our democratic ideals and desire to empower citizens dictate replacement of the appointment system with short-term appointments and special elections.

I recognize that there are competing visions for the best way to fill legislative vacancies, but this bill would retain the benefits of the appointments process—namely lower cost and a pathway to elective office for traditionally disadvantaged communities—while also making that process more participatory and inclusive.

Our representatives in Annapolis should be chosen directly by the voters in their respective districts. This is the essence of a participatory democratic process. Because only a fraction of the Central Committee’s membership live in any given district, appointments by the Central Committee give outside influence to individuals who do not live in the district that has a vacancy. Empowering the district’s voters to fill vacancies at the ballot box will not only allow for more direct feedback and engagement from the public but will also restore public confidence in the process of filling vacancies.

This bill fills vacancies quickly while ensuring an election is held without waiting for the next regular legislative election. Conducting an election during the “Presidential election year” also minimizes the cost of holding a special election.

SB0005 would amend the Maryland Constitution. If enacted by the General Assembly, the matter would be put before the voters on the 2026 ballot. That puts the matter in the hands of the voters to decide how they want vacancies to be filled – by election or Central Committee appointment.

I want to thank Senator Kagan for her leadership on this issue and urge the Committee to favorably report SB0005.

A handwritten signature in black ink, appearing to read "Jayson Spiegel".

Jayson L. Spiegel  
Gaithersburg, Maryland

**Liza\_Smith\_SB0005\_Testimony.pdf**

Uploaded by: Liza Smith

Position: FAV

**Written Testimony in Support of Senate Bill SB0005**  
**Education, Energy, and Environment Committee**  
**Maryland General Assembly**  
**Date: January 19, 2026**

**Submitted by:** Liza Smith, Member, Montgomery County Democratic Central Committee (District 14)

To the Members of the Education, Energy, and Environment Committee:

My name is **Liza Smith**, and I am a member of the **Montgomery County Democratic Central Committee**, representing **District 14**. I strongly support **Senate Bill SB0005**, which would require **special elections** to fill vacancies in the Maryland General Assembly.

Democracy only works when the people have the power to choose their representatives. Yet in Maryland, when a seat becomes vacant, that power is taken away from voters and handed to a small group behind closed doors.

When Delegate **Jazz Lewis** stepped down in **January 2026**, the people of **District 24** were completely shut out. Party insiders picked a replacement, the Governor rubber-stamped it, and voters never got a voice. The same thing happened in **District 27A**, which spans **Prince George's and Charles Counties**. Marylanders were ignored, and our democracy was silenced.

While this was happening in Maryland, **Virginia was holding special elections**—giving voters the chance to elect, not select, their representatives. Our neighbors trusted the people. We did not.

This isn't just about process. It's about **representation, trust, and fairness**. Thousands of residents never had the chance to choose who speaks for them in Annapolis. Their voices were replaced by appointments.

Maryland now stands alone in the Mid-Atlantic. **Twenty-five states** hold special elections for legislative vacancies. We do not. Special elections are more democratic, more transparent, and more accountable. They invite new voices, real competition, and public participation.

Holding special elections alongside regular primaries and general elections would save money, reduce delays, and—most importantly—restore faith in our democracy.

It is unacceptable that while neighboring states trust their citizens with the vote, Maryland continues to deny that same right. Our residents deserve better.

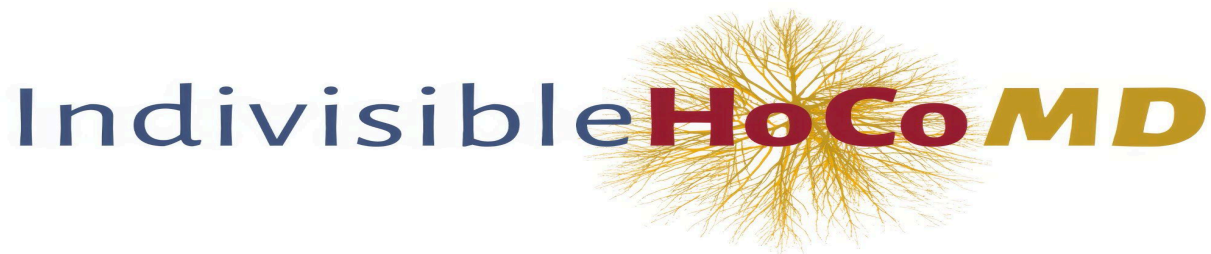
I urge the Committee to stand with Maryland voters—not political insiders. Support **SB0005**. Let the people choose. Let democracy work the way it was meant to.

**Respectfully submitted,**  
Liza Smith  
Montgomery County Democratic Central Committee  
District 14

**SB0005 Testimony 1\_19\_26 (1).pdf**

Uploaded by: Marijane Mnck

Position: FAV



**TESTIMONY FOR  
SB0005 – General Assembly – Special Election to Fill a Vacancy in Office**

**Bill Sponsor:** Senator Kagan

**Committee:** Education, Energy, and the Environment

**Organization Submitting:** IndivisibleHoCoMD

**Person Submitting:** Marijane Monck, Co-Facilitator Defend Democracy Action Team

**Position:** FAVORABLE

Chair, Vice Chair, and Members of the Committee,

I submit this testimony in favor of SB0005 on behalf of Indivisible Howard County. Indivisible Howard County is a 1200+ member organization comprising numerous action teams. The Defend Democracy Team works on issues involving election integrity, campaign finance, and ethics in government.

SB0005 strengthens representative democracy by ensuring legislative vacancies are addressed through a transparent, timely, and voter-centered process. Currently, vacancies are filled by party central committees, limiting constituents' direct voice. At a time of fragile public trust, Marylanders deserve greater participation in choosing their representatives.

This bill allows voters to elect a permanent replacement at the next regular statewide election when a vacancy occurs early enough in the term, while preserving temporary appointments when necessary. By aligning with existing election timelines, it ensures efficiency and avoids unnecessary costs.

SB0005 is a commonsense reform that enhances accountability, responsiveness, and public confidence in government.

We respectfully urge a FAVORABLE report.

# **Marylanders Favor Special Elections to Elect Repre**

Uploaded by: Michael Pellittiere

Position: FAV

## New Poll: 85% of Marylanders Favor Special Elections to Elect Representatives

With Sen. Melony Griffith's announcement of her resignation last week, nearly one-third of the Maryland Senate will have been initially appointed, rather than elected, to their seats due to Maryland's current system of filling vacant legislative seats. More than 20 percent of the House of Delegates have been similarly appointed. Overall, 23 percent of current legislators serving in the Maryland General Assembly were not originally elected to their seats.

In the most recent Gonzales poll, a full 85% of Marylanders favor having a special election to fill legislative vacancies; only 13 percent favor continuing the practice of having local political party leaders fill vacancies.

Under Maryland's current system, vacancies in the General Assembly are filled by candidates forwarded by elected party central committees to the governor for approval. In recent history, most of these candidates were affirmed by the sitting governor. Many appointees are subsequently elected to full terms, benefiting from the increased name recognition and work of their incumbency. The person selected to fill Griffith's seat, for example, will benefit from serving out the three years left in her four-year term – with voters having no say until the next statewide elections in 2026.

Pro-democracy organizations, led by Common Cause of Maryland and Maryland PIRG, are renewing their call for the General Assembly to act in the coming session to require special elections to fill legislative seats that become vacant.

“When vacancies occur for offices such as the Comptroller, the Attorney General, or the U.S. Senate, the voices of Maryland voters have the most weight in filling those seats. That should be the case for the state legislature as well,” said **Common Cause Maryland executive director, Joanne Antoine**. “The General Assembly can't continue to allow a handful of individuals to speak on behalf of thousands of voters. Letting another legislative session pass with no action continues to diminish the voice of the voters.”

“It's way past time for Maryland to establish a special elections process for legislative vacancies,” said **Maryland PIRG Director Emily Scarr**. “There is no doubt that appointed policymakers are committed to public service and their districts, but our democracy would be stronger and more resilient if we joined state legislatures across the country that hold special elections.”

Common Cause Maryland and Maryland PIRG have supported various proposals in recent years including full special elections and a compromise bill to require special elections for legislative vacancies that occur within the first two years of the four-year legislative term. The compromise version of the bill has passed the State Senate three times with unanimous support.

The proposal to give voters more of a say in who serves in the legislature is strongly supported by voters. “The current system is undemocratic; if anything, it is self-serving for political insiders,” says **Liza Smith, who serves on the 14th District Democratic Central Committee in Montgomery County**. “When 41 percent of the county legislative delegation has been appointed by a vote of 13 people on a party central committee, it is time to institute special elections to allow the people to vote to fill legislative vacancies. Democracy demands no less.”

The poll was conducted in September by Gonzales Media & Research Services and surveyed 818 registered voters; it has a margin of error of 3.5 percentage points.

**VeteransForMarylandVoters\_SB0005\_Testimony.pdf**

Uploaded by: Michael Pellittiere

Position: FAV

## **SB0005**

### **EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE | 21 JAN 2026**

Good Morning. I am Mike Pellittiere, a Navy veteran, resident of Odenton, and volunteer state leader of Veterans for Maryland Voters. We are the state chapter of Veterans for All Voters, a diverse community of veterans—constitutional conservatives, progressives, and everything in between—united by a shared belief that the American people deserve better than our current politics. As veterans, we took an oath to serve and protect our nation. Now, we're leading the charge to make elections more fair, functional, and free of partisan gridlock, ensuring that every American's voice is heard.

This seems very straightforward. Voters should choose their own representatives. As veterans, we took an oath to support and defend a system of self-governance. In the military, we understand the "Chain of Command." That chain starts with the American citizen. When a legislative seat is filled by a party committee for nearly a full four-year term, that chain is broken. It feels less like a representative democracy and more like a private appointment process.

We certainly appreciate the need to fill vacancies promptly so that residents aren't left without a voice in Annapolis. However, that appointment should be a temporary, caretaker position. In the military, an "Acting" commander holds the position until a permanent leader is selected. The advice I was given: "You're acting, don't rearrange the furniture."

This proposal is a simple solution and strikes an appropriate balance. A special election at the same time as the presidential election just makes sense. This will not cause voter fatigue and, per last year's fiscal note, not impose additional costs on the state.

We fought for the right of people to choose their leaders. We ask you to honor that principle by giving Marylanders the right to vote for theirs.

Veterans for Maryland Voters strongly urges a favorable recommendation to this bill as written. Thank you.

# **SB 5 - General Assembly – Special Election to Fill**

Uploaded by: Morgan Drayton

Position: FAV

January 21, 2026

**Testimony on SB 5**  
**General Assembly – Special Election to Fill a Vacancy in Office**  
**Education, Energy, and the Environment**

**Position:** Favorable

Common Cause Maryland supports SB 5. If passed and later approved by voters, this bill would amend the state Constitution to require a special election to fill seats vacated by members of the Maryland General Assembly in any instance where a vacancy occurs more than fifty-five days prior to the filing deadline for statewide elections held in the second year of the term.

Eligible members of the public get to engage in the exercise of one of our most fundamental constitutional rights: the right to select by a majority vote the elected officials who should represent them in public office. While Maryland is a leader in expanding opportunities and access to ensure that every citizen can engage in this critical building block of a democratic government, this is not the case when filling legislative vacancies in the General Assembly. The vacant seats are ultimately filled with little to no public input or even adequate public access to the decision-making process unless that voter is following and engaged in their local political party. Unaffiliated voters and those from other parties also have no opportunity to meaningfully engage.

Under current law, in the event of a vacancy in the General Assembly, the Governor may appoint their replacement who may then fill that office for the duration of the office's term. The individual considered for the appointments are recommended by local political party central committees. While an adequate solution in some situations, in others it leads to legislators filling nearly an entire term without giving constituents the opportunity to choose the person who will be representing them.

Maryland voters want to have the ultimate say in who represents them in the General Assembly. In our 2024 Gonzales poll, a full 85% of Marylanders said that they were in favor having a special election to fill legislative vacancies; only 13 percent favor continuing the current process. SB 5 would improve the current process by requiring that special elections be held to fill these vacated seats if the vacancy occurs prior to the candidate filing deadline. While not a perfect solution, this bill would be a step towards a more democratic process that gives Marylanders a voice in choosing who represents them when these vacancies occur.

Drawing on existing processes for filling vacancies for other offices (such as Comptroller, Attorney General, or United States Senator), SB 5 would also ensure that when a special election does take place, it's at the same time as regular elections where the General Assembly is on the ballot, helping to also maximize awareness and increase voter turnout. SB 5 is a straightforward bill that begins to shift the power to fill legislative vacancies from the executive to the voters of Maryland, and for that reason we urge a favorable report.

# **LK\_1-21 SB 5 - General Assembly - Special Election**

Uploaded by: Nikki Tyree

Position: FAV



**TESTIMONY TO THE SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT  
COMMITTEE**

**SB 5 General Assembly – Special Election to Fill a Vacancy in Office**

**POSITION: Favorable**

**BY: Linda Kohn, President**

**Date: January 21, 2026**

The League of Women Voters of Maryland supports SB 5, which proposes an amendment to the Maryland Constitution requiring a special election to fill a vacancy in the office of Delegate or Senator in the General Assembly if the vacancy occurs more than fifty-five days prior to the filing deadline for the statewide election that is held in the second year of the term.

Legislative representatives should be elected by their constituents. Since 1985, the Maryland League of Women Voters has supported the use of special elections to fill vacancies in the office of Senator or Delegate. Recognizing the expense of special elections and the historically low voter turnout in such elections, the League supports tie-in special elections, which are held in conjunction with other regularly scheduled elections. This proposed legislation requires tie-in elections.

More than that, voter apathy is a significant issue. Maryland has one of the highest appointment records in the country. This trend can lead voters to believe that the government is decided without them and that they are, in fact, not part of the democratic process. Anyone who works in elections knows that getting voters to vote down ballot is not always successful. This leads to many voters “undervoting” and only voting for more prominent offices, such as governor or president. These voters would not know who their central committee members are, leading them to feel discounted when it comes to appointments.

In a survey conducted, 85% of Marylanders agreed that special elections should be held to fill a vacancy. The League is asking for these voters to be allowed back into the process and not be locked out and silenced. If Democracy is a value of Marylanders, it is paramount that they be allowed to cast a ballot.

We are pleased that this legislation requires special elections to fill a Senator or Delegate vacancy that is uniform across jurisdictions in the state. Where appointments by the Governor rather than special elections are used to fill legislative vacancies, the League also supports additional statewide standards regulating the central committee nominating process to fill vacancies, including:

- public notice of meetings within the vacated district for public input
- the public announcement of candidates prior to that meeting
- and a publicly recorded vote of each committee member.

The LWVMD strongly urges a favorable report on SB 5.

# **Testimony in support of SB0005 - General Assembly**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

01/21/2026

Richard Keith Kaplowitz  
Frederick, MD 21703

**TESTIMONY ON SB#/0005- POSITION: FAVORABLE**

**General Assembly - Special Election to Fill a Vacancy in Office**

**TO:** Chair Feldman, Vice Chair Kagan, and members of the Education, Energy and the Environment Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0005, **General Assembly - Special Election to Fill a Vacancy in Office**

This bill, which is being introduced again from prior legislative sessions, is an attempt to fix a problem in our legislation with replacing delegates or senators who leave the body for another legislative or executive position, The replacement of that individual is not the choice of the voters, it is left to a small group of people who run the jurisdiction's party central committee. The voters are not given a choice to find the person they would pick to fill the opening.

This bill will change the procedures for filling these openings that occur via a constitutional amendment to be submitted for voter approval. The bill is proposing a constitutional amendment to require that a special election be held at the same time as the regular statewide primary and general elections that are held in the second year of the term to fill a vacancy in the office of Delegate or Senator in the General Assembly if the vacancy occurs on or before the date that is 55 days before the deadline for filing certificates of candidacy for the regular statewide election. This verbiage basically says hold a special election, and here is the timing and process for doing so.

This bill empowers voters to choose their representatives instead of a small group of political committee members whose view of a candidate does not match the majority views of the electorate.

**I respectfully urge this committee to return a favorable report on SB#/0005.**

**SB005\_MDSierraClub\_fav 21Jan2026.pdf**

Uploaded by: Richard Norling

Position: FAV



P.O. Box 278  
Riverdale, MD 20738

**Committee: Education, Energy, and the Environment**  
**Testimony on: SB 5 General Assembly – Special Election to Fill a Vacancy in Office**  
**Position: Favorable**  
**Hearing Date: January 21, 2026**

The Maryland Chapter of the Sierra Club urges a favorable report on SB 5. The bill is a proposed constitutional amendment that provides for election of a General Assembly member to fill a vacancy that occurs early in the legislator's 4-year term of office. We believe that consistently enabling voters to elect their General Assembly members is a valuable principle underlying Maryland's system of representative government.

SB 5 will require a special election to be held along with the Presidential election to fill a General Assembly vacancy that occurs at least 55 days before the candidate filing deadline for that election. Central committees would continue to appoint temporary legislators, who would serve until the special election. The bill would not affect the process for filling vacancies that occur after that date.

If this legislation had become law in 2014, 23 vacancies since then would have been affected. Most of those vacancies resulted from legislators being appointed to other offices in the first few months after an election. Voters in the affected districts did not have an opportunity to choose their legislator for over three years.

We recognize that some of Maryland's truly outstanding legislators first began their service after being appointed through the existing process, and the State in turn has benefited greatly. We support this reduction in the time appointed legislators serve before the next election, however, because we believe that, in general, elections result in closer connections between new legislators and their constituents.

The Sierra Club and its members advocate on behalf of both the natural and human environments, including promoting racial and social equity. As a grassroots organization, we seek to foster strong relationships between voters and their representatives in government.

We believe one of the principles of democratic systems is that people should have the opportunity to elect the leaders who enact laws and run their government. SB 5 will expand the opportunity for voters to elect their leaders in a fully transparent, public process and increase confidence in government. For these reasons, we urge a favorable report on SB 5.

Rich Norling  
Chair, Voting Rights Committee  
[Rich.Norling@MDSierra.org](mailto:Rich.Norling@MDSierra.org)

Josh Tulkin  
Chapter Director  
[Josh.Tulkin@MDSierra.org](mailto:Josh.Tulkin@MDSierra.org)

Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

# **Sen. Kagan SB5\_ Special Elections for Legislative**

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN  
Legislative District 17  
Montgomery County

Vice Chair  
Education, Energy, and  
the Environment Committee

Joint Audit and Evaluation Committee

Joint Committee on Federal Relations



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony SB5: Special Elections for Legislative Vacancies (Constitutional Amendment)**

Senate Education, Energy, and Environment Committee

January 21, 2026, 11 AM

In 2016, the General Assembly passed SB554/HB260, a Constitutional Amendment later ratified by Maryland voters, requiring special elections for vacancies that occur in the first half of a term in the offices of Attorney General, Comptroller, and U.S. Senator. Since then, legislators have repeatedly sought to apply the same reform to vacancies in the Maryland General Assembly.

Today, 13 percent of our legislative colleagues were not **elected** by their constituents, but **selected** by political party leaders. Lawmakers can currently be chosen to serve for the remainder of a nearly full four-year term. This has increasingly raised concerns about transparency, accountability, and fairness. While Democratic and Republican Party Central Committees perform valuable work, they do not give voters the opportunity to directly choose their own representatives. **According to a 2024 Gonzales poll, 85% of Marylanders support using special elections to fill vacancies.**

SB5 would modernize and democratize this outdated appointment process. Under the bill, if a legislative vacancy occurs 55 days or more before the candidate filing deadline, that seat would be filled by a Special Election held during the next general election cycle. If a vacancy occurs during the final two years of a term, the existing process would continue: Party Central Committees would submit nominees to the Governor.

This Constitutional Amendment passed the Senate in both 2024 and 2025 with overwhelming, bipartisan support by a vote of 43 to 2 and 44 to 2 (respectively), demonstrating strong momentum for this reform. Upon approval by voters this November, SB5 would take effect immediately. This would ensure that future vacancies are filled in a way that strengthens-- not undermines-- our representative democracy.

[Twenty-five other states](#)\* already use Special Elections to fill legislative vacancies. SB5 gives us the opportunity to join them and affirm the fundamental principle that voters, not party insiders, should choose their state legislators.

I respectfully urge a favorable report on SB5.

\* AL, AR, CA, CT, DE, FL, GA, IA, KY, LA, MA, ME, MI, MN, MS, MO, NH, NY, OK, PA, RI, SC, TX, VA, and WI

**2026 SB0005 Testimony against 2026-01-19.pdf**

Uploaded by: Alan Lang

Position: UNF

## Testimony Against SB0005

Honorable Senators

Please enter an unfavorable decision about SB0005.

Currently, if there is a vacancy in a Delegate or Senator position, the Governor appoints a candidate nominated by the central committee of the party of the departing person, as was done in District 31 just last year. This process worked well in Anne Arundel County and ensured that a representative from the same party would be selected. The Central Committee members were elected by the people to make decisions like this.

The process is not broken and has worked for decades. It should not be converted to a special election.

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