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Frederick County

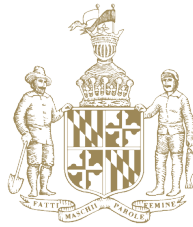
Government, Labor, and  
Elections Committee

*Subcommittees*

Chair, Election Law

Local Government/Bi-County  
Agencies and Administration

Chair, Maryland Legislative  
LGBTQ+ Caucus



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**THE MARYLAND HOUSE OF DELEGATES**  
**ANNAPOLIS, MARYLAND 21401**

**SPONSOR TESTIMONY**

**HB 156 -Election Law- Affiliating With a Party and Voting - Unaffiliated Voters**

The Honorable Melissa Wells, Chair  
Government, Labor, and Elections Committee  
Maryland House of Delegates  
6 Bladen Street,  
Annapolis, MD 21401

Chair Wells, Vice-Chair Kerr, and Esteemed Members of the Government, Labor, and Elections Committee:

House Bill 156 allows unaffiliated voters to participate in any party's primary election by giving those voters the option to register with a political party during early voting. HB 156 is a crucial step toward voting equity, as unaffiliated voters are currently shut out of party primaries. This bill will allow all voters to participate fully in our state's electoral system, enabling them to affiliate with a party and cast their vote during early primary voting. **All Maryland elections, including primaries, are fully funded by taxpayers; therefore, all elections should be inclusive rather than disenfranchise almost a quarter of voters in key elections.** House Bill 156 creates this opportunity. This bill reintroduces legislation championed by Delegate Qi in 2025, who graciously allowed me to carry it in 2026 with her as the primary cosponsor.

**House Bill 156 Does Not Create an Open Primary nor Mandates for Voters or Parties**

House Bill 156 does not create an open primary. Instead, it ensures that all Maryland taxpayers can participate in all parts of the democratic process for which their taxes are used. The bill simply allows unaffiliated voters to use same-day party affiliation and voting during early voting for the primary election-- if they choose to do so. This bill will not allow those already affiliated with a party to switch party affiliation during this early voting as if it were an open primary. Those voters can switch before voting begins under current law. House Bill 156 is not a mandate for unaffiliated voters or the political parties, but an opportunity for those who would like to affiliate and then vote in the primary election of a specific party.

## Ensuring Access to the Franchise for All Maryland Voters

Unaffiliated voters make up about 23% of voters in the state, and that number is increasing as more new voters are registering to be unaffiliated<sup>1</sup>. HB 156 lowers the burden on unaffiliated voters to vote for the candidate they feel passionate about during primary election season, allowing them to affiliate with the party of their choosing when they vote during early voting. Affiliating with a political party is a decision that takes time, and HB 156 allows unaffiliated voters to make informed choices about their preferred candidate. By not allowing unaffiliated voters every opportunity to participate in critical primary elections, the current state of the law disenfranchises them.

## Clarity for Maryland's Electoral System

Many voters are not fully aware that when they decide to register as unaffiliated, they will not be able to vote in a primary election unless it is for the nonpartisan Board of Education. House Bill 156 aims to clarify the confusion by allowing unaffiliated voters to affiliate during primary election early voting with the party of their choice and cast a ballot for their preferred candidate at that time. This bill is especially important as many voters who are unaffiliated are first-time voters, young voters, new citizens, or citizens who have moved from a state with open primaries. Primary elections are crucial decision points with significant ramifications for the general election, and every Marylander should have the opportunity to participate in them fully.

Finally, I have attached an analysis from the Attorney General exploring legal issues related to allowing unaffiliated voters to affiliate during early voting. In short, there are no constitutional issues with this legislation, and the General Assembly has authority to make this change for unaffiliated voters only.

In conclusion, House Bill 156 gives a voice to disenfranchised voters by allowing them to participate fully in primary elections. Unaffiliated voters are the fastest-growing group of voters within our state, yet they are disenfranchised when they go to the polls during consequential primary elections. For all these reasons, I urge the Committee to give a favorable report to House Bill 156 to make our electoral system more equitable for all voters.

Thank you,



Delegate Kris Fair  
District 3, Frederick County

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<sup>1</sup> <https://independentvoterproject.org/voter-stats/md>

**Total Registered Voters:** 4,314,104 **Democrats:** 2,231,908 (51.74%) **Republicans:** 1,030,415 (23.88%) **Third party/Other:** 73,095 (1.69%) **Unaffiliated:** 978,686 (22.69%)