



Testimony - SB 346, Civil Actions - Violation of Constitutional Rights (No Kings Act)
Favorable
Senate Judicial Proceedings Committee
February 10, 2026
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Honorable Chairman Smith & Members of the Senate Judicial Proceedings Committee:

SEIU Local 500, which represents thousands of public sector and nonprofit workers across Maryland. We strongly support Senate Bill 346.

SEIU Local 500 supports SB 346 because it recognizes an urgent reality: constitutional rights that working people have long relied upon are increasingly under attack, weakened, or rendered unenforceable at the federal level. As federal courts narrow access to justice, weaken remedies under federal civil rights law, and expand doctrines that shield officials from accountability, states must act affirmatively to protect the rights of their residents.

SB 346 does exactly that. By creating a clear State cause of action when an individual acting under color of law deprives someone of rights secured by the U.S. Constitution, this bill ensures that constitutional protections are not merely theoretical, but enforceable in Maryland courts. At a moment when federal enforcement is increasingly inconsistent—and, in some cases, openly hostile to civil rights—Maryland cannot afford to leave workers without meaningful remedies.

For working people, constitutional violations are not abstract. Our members experience the real-world consequences of unlawful searches and seizures, retaliation for protected speech or association, denial of due process, and discriminatory treatment by those

wielding government power. When accountability mechanisms fail, workers are left exposed, chilled from exercising their rights, and forced to absorb the harm personally.

SB 346 affirms a basic democratic principle: no one acting under color of law is above the Constitution. The bill preserves appropriate defenses and immunities consistent with existing federal standards, while ensuring that individuals whose rights are violated still have access to damages and injunctive relief where warranted. This balance is critical—it deters misconduct without impeding legitimate government functions.

The need for this legislation is especially pressing given the broader national context. Across the country, we are seeing increased suppression of protests, rollbacks of voting and civil liberties protections, attacks on immigrants and marginalized communities, and an erosion of trust that the government will respect constitutional limits. Maryland has both the authority and the responsibility to set a higher standard.

SB 346 sends a clear message: in Maryland, constitutional rights are real, enforceable, and not dependent on the shifting priorities of federal courts or administrations. Workers, residents, and communities deserve nothing less.

SEIU Local 500 respectfully urges a favorable report on Senate Bill 346 and a special thank you to Senator Waldstreicher and Senator Smith for leading on this important issue.

Thank you for your time and consideration.

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