

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 342 (Senator Sydnor)
Education, Energy, and the Environment

Voting Rights Act of 2025 - Counties and Municipalities

This bill (1) establishes a specified prohibition against the impairment of the ability of members of a protected class (members of a race, color, or language minority group) to elect candidates of their choice in elections in a county or municipality, or to influence the outcome of such elections; (2) includes factors, considerations, and criteria related to the establishment of a violation of the prohibition; and (3) authorizes a person to bring an action to enforce the prohibition in the county or municipality where the alleged violation occurred. The bill does not apply to statewide elections.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: The bill is not expected to materially affect local government finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill prohibits the imposition or application of a method for electing the governing body of a county or municipality in a manner that impairs the ability of members of a protected class to elect candidates of the members' choice, or the members' ability to influence the outcome of an election, as a result of the dilution or the abridgement of the rights of voters who are members of a protected class.

A violation of the prohibition is established if (1) elections in a county exhibit polarized voting and (2) the method of election dilutes or abridges the voting strength of members of

a protected class to elect a candidate of the members' choice or the members' ability to influence the outcome of an election.

“Polarized voting” means voting in which there is a difference, as defined in federal case law regarding enforcement of the federal Voting Rights Act of 1965, in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate. “Protected class” means a class of voters who are members of a race, color, or language minority group, as this class is referenced and defined in the federal Voting Rights Act of 1965 and related federal case law.

The bill establishes factors, considerations, and criteria applicable to establishing a violation of the prohibition and whether elections in a county or municipality exhibit polarized voting.

The bill authorizes a person to bring an action to enforce the prohibition in the county or municipality where the violation allegedly occurred for injunctive relief, damages, or other relief.

Current Law: Under [Section 2](#) of the federal Voting Rights Act of 1965, no voting qualification or prerequisite to voting or standard, practice, or procedure may be imposed or applied by any State or political subdivision in a manner that results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or status as a member of a language minority group. A violation of that prohibition is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by the prohibition in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 413 of 2022.

Designated Cross File: None.

Information Source(s): Baltimore, Carroll, Harford, and St. Mary's counties; cities of Annapolis and Frederick; Maryland Municipal League; Judiciary (Administrative Office of the Courts); Maryland State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2025
km/sdk

Analysis by: Arnold H. Adja

Direct Inquiries to:
(410) 946-5510
(301) 970-5510