



**Testimony for the Senate
Education, Health, and Environmental Affairs Committee**

January 22, 2020

**SB 38 Election Law - Campaign Finance Violations - Injunctive
Relief**

FAVORABLE

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The ACLU of Maryland urges a favorable report on SB 38, which would allow candidates to seek an immediate injunction for violations of state campaign finance laws.

The ACLU of Maryland operates an election protection program during every statewide election. During the 2006 elections, the ACLU of Maryland, as did other entities, learned about fraudulent campaign materials distributed in the days and hours before the election. These materials misrepresented endorsements of candidates, contained false information about the day of the election and voter eligibility and erroneous sample ballots with the party affiliation of selected candidates. Because these materials were distributed so close in time to the election itself, it was difficult to rebut false claims, meaningfully enforce the election law, or provide voters with accurate information before polls opened and closed.

In 2012, this body sought to address these issues by passing HB 314— the Voter’s Rights Protection Act of 2012, which authorized the Attorney General to institute an action in a Circuit Court for injunctive relief pertaining to certain violations of election law. SB 38 dovetails with that prior effort by allowing candidates themselves to seek the swift redress that is so important in ensuring the integrity of our elections.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 38.

