

February 6, 2020

**Testimony on HB 216**  
**Election Law-Campaign Material- Definition and Authority Line for Telephone Calls**  
**Ways and Means**

**Position: Favorable**

Common Cause Maryland supports HB 216 which would clarify that text and graphics contained in campaign finance materials must relate to campaign activity for an election. It would also extend the definition of “campaign material” to include robocalls. Both of these changes would address loopholes in current campaign law.

The harm this bill addresses is not the use of Robo Calls by candidates, but the use of Robo Calls to mislead voters. Robo Calls allow campaigns to target messages to voters, give valuable information about candidates and issues, and capture valuable data to win elections. However, when voters are targeted and deceived it not only creates a distrust in our election system, it takes away the voters right to make a knowledgeable and well-informed decisions.

An example of the issue this legislation is trying to address can be traced back to the 2018 Midterm elections. A call went out in Baltimore and Hartford counties that 1) primarily talked about an issue a candidate supported without specifying that the candidate was running for an election, 2) the information that went out was false, and 3) did not identify the source of the call. Unfortunately, this was not the first time Robo calls have been used to mislead voters in Maryland. When candidates target voters, they need to be forward about the purpose of their call or else voters are essentially being manipulated. Additionally, if the information being disbursed is false voters should know who they need to hold accountable

Currently, Maryland’s Election Law Article does not specifically address the use of “Robo Calls” in political campaigns. Federal law requires that all artificial or prerecorded telephone messages must include the identity of the business, individual, or other entity initiating the call at the beginning of the message. This legislation will make sure Robocalls are considered campaign materials and require an authority line.

When candidates are able to mislead voters, it negatively impacts participation in our democracy. That is why we are in support of HB216. We urge a favorable report.