

**SB 340\_FAV\_GALLION.pdf**

Uploaded by: Gallion, Senator

Position: FAV

JASON C. GALLION  
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Harford and Cecil Counties

Education, Health, and  
Environmental Affairs Committee



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

February 16<sup>th</sup>, 2021

The Honorable Paul Pinsky, Chair and Members

Senate Education, Health, and Environmental Affairs Committee

Re: SB 340 – Election Law – Offenses Related to Voting- Penalties

Position: Favorable

Chairman Pinsky and EHEA Committee Members:

This bill increases the penalty of a voter who knowingly and intentionally attempts or succeeds in voting more than once in an election. If an individual is in violation of voting more than once they would lose their right to vote for four years.

The intent of SB 340 is not to punish those who may unknowingly vote twice by accident or error but to target those intentionally trying to subvert our free and fair election process. In over 20 states, double voting is charged as a felony offense, while it's a misdemeanor offense subject to a fine of up to \$5,000 and/or imprisonment for up to five years in Maryland. SB340 would allow for adequate punishment of those intentionally and knowingly attempting to tamper with our free and fair election process.

I respectfully ask for a favorable vote on SB340.

Sincerely,

A handwritten signature in blue ink that reads "Jason Gallion".

Senator Jason Gallion

District 35 – Cecil & Harford Counties

# **SB0340- Election Law - Offenses Related to Voting**

Uploaded by: White, Kadi-Ann

Position: UNF

February 18, 2021

**Testimony on SB0340**  
**Election Law - Offenses Related to Voting- Penalties**  
Education, Health, and Environmental Affairs

**Ways and Means**

**Position: Unfavorable**

Common Cause Maryland opposes HB 694 which would alter the circumstances under which an individual is not qualified to be a registered voter, to include those accused of attempting to double vote.

On September 17, 1787, a group of forward thinking individuals met together and signed one of the most important documents known to those of the free world. The U.S Constitution, in its 14th amendment granted full citizenship rights to all men born or naturalized in the United States. One of these rights was voting. Voting is celebrated as the most fundamental form of civic participation in a democracy, a means by which all voices are counted on an equal basis. But voting conspiracy theories and disinformation threaten that right and undermine confidence in the integrity of our election.

It's important to note that legislation of this nature aims to solve an issue that doesn't exist – voter fraud. In numerous studies, virtually no voter fraud was found. Fraud is rare and many instances of alleged fraud are instead mistakes by voters or election officials. In one study, a Loyola Law School professor found 31 instances involving allegations of voter impersonation out of 1 billion votes cast in U.S. elections between 2000 and 2014. Another study by the Brennan Center for Justice at New York University Law School found many reports of people voting twice or ballots being cast on behalf of dead people were largely the result of clerical errors that suggested wrongdoing when none had occurred.

In Maryland, our election system is designed to prevent double voting. The State Board of Elections uses electronic poll books that track voters that have already voted. The poll books help transfer voter information to ensure that double voting doesn't occur. In the instances where a voter has already voted a ballot, the voter will be asked to vote provisionally if the attempt to vote again.

When the State Board of Elections does identify a case where a voter attempts to vote more than once, that information is shared with the proper authorities and the voter, if found guilty, may be subject to a fine or imprisonment.

Common Cause Maryland supports a robust, secure election system that encourages maximum participation among Marylanders. HB 694 does nothing to advance those goals, and instead aims to disenfranchise voters. We urge an unfavorable report.