



Maryland Developmental Disabilities Council

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Education, Health, and Environmental Affairs Committee
SB 838: Election Law – Polling Places – Proof of Identity
March 3, 2021
Position: Opposed

The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that works to improve policies, programs and services that support people with developmental disabilities and their families in our communities. The DD Council is led by people with developmental disabilities and their families. From that perspective, the DD Council opposes SB 838 which may disenfranchise many eligible voters who do not have government issued photo identification.

WHY do we oppose this legislation?

- Voting is a fundamental right that Maryland's citizens with disabilities want and need to participate in.
- People with developmental disabilities are the least likely to own a car and possess a driver's license, which is the most common form of identification.
- Federal law guarantees the right to vote to a person with a developmental disability who understands what it means to vote, yet access remains a problem for voters with disabilities.
- Requiring a government issued photo identification card or other documentation creates an additional barrier to voting and is not needed to address any documented problem.

WHAT does this legislation do?

- Requires an election judge to establish a voter's identity by requiring the voter to present a photo ID or other proof of identity.
- Requires a voter to vote a provisional ballot if the voter is unable to provide certain proof of identity.
- Prohibits a person from knowingly and willfully voting or attempting to vote under a false form of identification.

The reality is that there is no substantial evidence of widespread fraud by voters who actually come to the polls to vote. Federal laws such as the Help America Vote Act (HAVA), the Voting Rights Act of 1965 and the National Voter Registration Act of 1993 were enacted to make voting easier and increase voter participation.

SB 838 creates a burden for people with developmental disabilities and creates an additional barrier to entire group of people to exercise their fundamental right to vote. Therefore, **the DD Council opposes.**

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