

**WDC-HB643-Testimony-2023-FINAL.pdf**

Uploaded by: Beth Tomasello

Position: FAV



MONTGOMERY COUNTY, MARYLAND  
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

[www.womensdemocraticclub.org](http://www.womensdemocraticclub.org)

**House Bill HB0643 – Insufficient Number of Candidates for a Primary Election  
Ways and Means Committee – February 21, 2023  
FAVORABLE**

Thank you for this opportunity to submit written testimony concerning an important priority of the Montgomery County Women's Democratic Club (WDC) for the 2023 legislative session. WDC is one of the largest and most active Democratic clubs in our state, with hundreds of politically active members, including many elected officials.

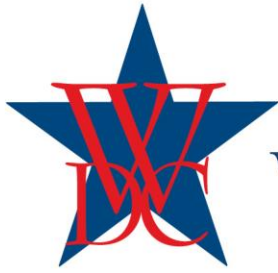
As the foundational principles of democratic government are under siege at the federal level and in many states, WDC has established a new *ad hoc* committee, Advancing Democracy in Maryland, to advocate for a menu of legislation that empowers voters, creates equality of voice and representation, and ensures the responsiveness of government institutions. We are proud that Maryland is generally in the forefront of pro-democracy reforms; yet we can always do better.

WDC's work to advance democracy in Maryland is guided by many of the recommendations of the 2020 report, [Our Common Purpose: Reinventing Democracy for the 21st Century](#), issued by the American Academy of Arts and Sciences' Commission on the Practice of Democratic Citizenship.

**WDC supports the passage of HB643.** HB643 would require the State Board of Elections to extend the filing deadline for a primary election if, at any time during the 48-hour period immediately preceding the filing deadline, the number of candidates from a political party is less than the number of nominations the party is allowed for the office. This bill would remedy a situation that occurred in Montgomery County in the 2022 primary, in which the central committee selected a candidate for the primary ballot after one of the three delegate candidates dropped out within hours of the filing deadline. HB643 would place responsibility for filling such ballot vacancies firmly in the hands of the citizenry, where it belongs.

In spirit and substance, this bill would expand eligible individuals' opportunity to file for elected office. By extending the filing deadline by seven days under specific limited circumstances, HB643 would help ensure that any eligible candidate has the opportunity to file for an open seat in a primary election when an unopposed candidate dies, becomes disqualified, or withdraws; and when the number of filed candidates is less than the number of nominations the political party is allowed.

HB643 would make sure that every citizen – not only party insiders – would have an equal chance to run for office when a sudden opening occurs. The proposed seven-day extension of the filing deadline would advance democracy by allowing time for adequate and widespread public notice of a last-minute opening, thus creating opportunity for



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candidates who might consider running to do so, rather than having the ballot opening filled by the political party's central committee.

**We ask for your support for HB643 and strongly urge a favorable Committee report.**

Respectfully,

Diana Conway  
President

Fran Rothstein  
Advancing Democracy in Maryland Committee

# **HB0643\_Last Minute Candidacy Fix\_Fair Filing\_Testi**

Uploaded by: Brooke Grossman

Position: FAV



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HB0643: Last Minute Candidacy Fix/“Fair Filing”**  
Education, Energy, Environment (& Elections!) Committee  
Thursday, February 16, 2023 1PM

In the final hours before the filing deadline for the 2022 Primary Election, an incumbent withdrew their candidacy for office and instead filed for another. Because no other candidate could get to Annapolis in time to file before the deadline, the County Central Committee ultimately selected the party’s nominee.

In 1998, another individual withdrew under similar circumstances and had already recruited a friend whom they hoped would succeed them in the House. These examples clearly reveal a loophole that ultimately precluded voters from having the chance to choose their nominee. Last-minute Candidacy Fix/“Fair Filing” (**HB0643**) would ensure that new leaders are **ELECTED (by voters)** rather than **SELECTED**. If a filed candidate dies or withdraws within 48 hours of the filing deadline, this deadline would be extended by seven days. An extension would give prospective candidates ample time to make a carefully considered decision to run and file their paperwork. Waiting seven days would **not** be burdensome to election administrators. Using the preliminary 2022 schedule as a framework, the timeline would have been as follows:

- Filing Deadline (April 15, 2022 9pm)
- The County Democratic Central Committee picked a candidate to fill the vacancy on the primary ballot (April 20, 2022)
- **Proposed Filing Deadline if HB0643 had been law (April 22, 2022)**
- Last day to remove a candidate’s name from the ballot due to the candidate’s death or disqualification (April 25, 2022)
- Deadline for SBE to display on its website the content and arrangement of each certified ballot (May 16, 2022)
- Primary Election Day (July 19, 2022)

HB0643 would offer modest flexibility while being a minimal burden on our election administrators. Our democracy would benefit from this legislation.

**I urge a favorable report on HB0643.**

**HB643-Election Law 202302127.pdf**

Uploaded by: Brian Griffiths

Position: UNF

# BRIAN GRIFFITHS

February 17, 2023

The Honorable Vanessa E. Atterbeary  
Chair, Ways and Means Committee  
Room 131  
House Office Building  
Annapolis, Maryland 21401

Dear Madam Chair and members of the Committee,

I write to you today in **opposition** of **House Bill 643** Election Law - Insufficient Number of Candidates for a Primary Election. I truthfully believe this bill is an answer in search of a problem.

For what purpose does extending the filing deadline for one week serve? Candidates have nearly one full calendar year available to them to file for office. How will an extra week make a candidate or potential candidate suddenly decide that they will file for office?

Furthermore, there is already a process available to Central Committees to fill vacancies in instances where no candidates file for office. In the 2022 primary election, 27 candidates were designated by their Central Committees in instances when no candidate filed for the Democratic Party or Republican Party nominations. This process does not seem to be one that needs immediate replacing.

If the concern of the sponsors is to ensure that voters have a choice in who the nominee of their party is, I would urge them to reconsider. There are two ways that this can be done:

- Legislation that would allow for write-in votes in primary elections; and,
- Legislation that would require the State Board of Elections and local Boards of Election to count the number of write-in votes for all individuals in primary and general elections regardless of their status as an official candidate.

While I understand the concern that some candidates are not selected by voters, this is not the solution to make that work. I urge you to **vote no** on **House Bill 643**.

Respectfully,



# **SB176\_HB643 Election Law - Insufficient Number of**

Uploaded by: Katherine Berry

Position: INFO





# Maryland Association of Election Officials

Representing the Local Election Boards of the State of Maryland

February 17, 2023

Delegate Vanessa Atterbeary, Chair  
Maryland House Ways and Means Committee  
Room 131, House Office Building  
Annapolis, MD 21401-1991

HB643 – Information

Dear Chair Atterbeary, Vice Chair Wilkins and Committee Members:

My name is Katherine Berry. I am the Election Director in Carroll County and the chair of the Maryland Association of Election Officials (MAEO) Legislative Committee. MAEO represents the local boards of elections throughout the State of Maryland. I am writing today representing MAEO with information for HB643 - Election Law - Insufficient Number of Candidates on a Primary Ballot.

The proposed bill seeks to provide a 7-day extension for citizens to file for office after the deadline. However, MAEO understands the need for a well-coordinated election process and is concerned about the potential disruption to the State Board of Elections and local boards of elections. Preparing millions of pages of ballots, including multi-page ballots, is a complex process that requires a specific timeline. We don't want to risk any delays or challenges in the election preparation process.

We extend our gratitude to Senator Kagan for her efforts in ensuring a transparent and accessible election process for all citizens to participate in.

Thank you for your time. If you have any questions, please contact me at (410)386-2958 or [Katherine.berry@maryland.gov](mailto:Katherine.berry@maryland.gov).