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February 16, 2024

TO: The Honorable Brian Feldman
Chair, Education, Energy, and the Environment Committee

FROM: Adam Spangler
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: SB772 - Elections - In-Person Voting - Proof of Identity - **Oppose**

The Office of Attorney General urges an unfavorable report on Senate Bill 772. Senate Bill 772 amends § 10-310 of the Election Law Article to require an election judge to further establish a voter's identity by having the voter present a photo identification (governmental issued or nongovernmental issued) or other form of documentation proving the voter's name and address. Under current law, a voter must already provide their date of birth and address to be verified against the election register. The bill further amends the criminal provision of Election Law § 16- 201 to criminalize voting or attempting to vote under a false form of identification. Under § 16- 201(a)(1), voting under a false name and voting while impersonating another person are already crimes.

Voter identification requirements are unnecessary and serve to disqualify otherwise eligible voters. They disparately impact the elderly, people of limited means, and people of color.¹

¹ Sari Horwitz, Getting a Photo ID So You Can Vote is Easy. Unless You're Poor, Black, Latino or Elderly, Wash. Post (May 23, 2016), available online at: https://www.washingtonpost.com/politics/courts_law/getting-a-photo-id-so-you-can-vote-is-easy-unless-youre-poor-black-latino-or-elderly/2016/05/23/8d5474ec-20f0-11e6-8690-f14ca9de2972_story.html (last visited Jan. 19, 2024); see also, Issie Lapowsky, A Dead-Simple Algorithm Reveals

They are, in short, a solution in search of a problem because there is no evidence of widespread voter fraud. Maryland law should seek to expand the franchise to as many eligible citizens as possible, not to constrict the franchise to only those individuals with photo identification and proof of address.

For the foregoing reasons, the Office of the Attorney General urges an unfavorable report on Senate Bill 772.

cc: The Honorable Justin Ready
Committee Members