



**TESTIMONY TO THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT**

**SB 364 – Election Law - Casting General Election Ballot in Multiple States - Prohibition**

**POSITION: Oppose**

**BY: Linda Kohn, President**

**DATE: February 21, 2024**

The League always testifies in favor or in opposition to a bill when we have an adopted position or principle to do so. Understandably, we have not adopted a position that prohibits passing laws about things that are already prohibited by law.

Note that SB 364 proposes enacting a prohibition against something that's already illegal. See Title 52 of the **U.S. Code (Voting and Elections)**, §10307:

(e) Voting more than once:

(1) Whoever votes more than once in an election referred to in paragraph (2) shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

(2) The prohibition of this subsection applies with respect to any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, Delegate from the District of Columbia, Guam, or the Virgin Islands, or Resident Commissioner of the Commonwealth of Puerto Rico.

In addition, as the bill itself shows, §16-201 of the **Maryland Code of Election Law** already says:

(a) A person may not willfully and knowingly: ...

(2) vote more than once for a candidate for the same office or for the same ballot question;

(3) vote or attempt to vote more than once in the same election, or vote in more than one election district or precinct;

This bill sends the erroneous message that voting in multiple states is a common practice that needs to be addressed in new legislation. In addition, it risks creating conflict in the applicable law. We urge you to reject this bill and issue an unfavorable report.