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February 13, 2024

TO: The Honorable Vanessa Atterbearly
Chair, Ways and Means Committee

FROM: Tiffany Johnson Clark
Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: House Bill 563 - Election Law - Local Boards of Elections - Language-Related Assistance - **Support**

The Office of the Attorney General requests the Committee to give House Bill 563 - Election Law - Local Boards of Elections - Language-Related Assistance, sponsored by Delegate Bernice Mireku-North, a favorable report. House Bill 563, among other things, (1) requires the State Board of Elections to determine whether there is a significant and substantial need for language-related assistance in certain languages by a local board of elections during an election cycle and (2) requires the Board of Election to provide certain material in voting and elections to certain voters in certain languages.

Language access is an important facet of voting rights. The federal Voting Rights Act requires counties to provide election materials to specific language minority groups in order for these individuals to be able to fully participate in the electoral process. More specifically, jurisdictions with more than 10,000 citizens of voting age that belong to a single language-minority community or 5% voting age population. Currently, the only counties that meet this 5% threshold are Montgomery County and Prince George's County for Spanish. House Bill 563

would change the threshold to 2% of 4,000 citizens of voting age. Changing the threshold to 2% will ensure that more citizens are able to vote, regardless of what language they primarily speak.

The Office of the Attorney General does note that because this bill authorizes individuals to sue the State Board of Elections and a local board of elections for any dispute over language assistance, at least one Assistant Attorney General would be needed to cover the anticipated litigation.

The 2020 census confirmed that Maryland is *the* most diverse state on the east coast, with 136 languages and dialects being spoken in the State. With voting being one of the most important rights of an American citizen – it is crucial that elections are made accessible to as many citizens as possible. For the foregoing reasons, the Office of the Attorney General urges a favorable report on House Bill 563.

cc: Delegate Bernice Mireku-North