

BILL NUMBER SB 383

BILL TITLE: Elections - Ranked-Choice Voting in Contests for Presidential Nomination and Certification of Election-Supporting Technology

POSITION: Favorable



February 24, 2025

TESTIMONY IN SUPPORT OF SB383

To the Honorable Chair Feldman, Vice Chair Kagan, and Members of the Education, Energy, and Environment Committee:

On behalf of the thousands of ranked choice voting (RCV) advocates in the RCV Maryland coalition, we offer our support of SB 383 to allow for the use of ranked choice voting in presidential primary contests. We thank Senator Cheryl Kagan for her leadership and steadfast commitment to better elections in our state.

No one wants their vote to be “wasted” but for millions of voters across the United States this situation is possible in our current presidential elections process. The timing and nature of our presidential primaries creates the possibility for one or more candidates to remain listed on a ballot even after they drop out or suspend their campaign. For early and mail-in voters especially, this could lead to a “wasted vote” because our current voting method limits how voters express their preferences.

RCV Maryland believes we need to make sure **every vote counts** in Maryland whether you vote early or on election day. Allowing ranked choice voting in presidential primaries would give voters the ability to express one or more preferences for candidates. Political parties would also be able to assign delegates based on reaching a threshold set by the party.

There are over 50 jurisdictions using ranked choice voting for local, state, and federal elections. The benefits of ranked choice voting are clear:

- **More Diverse Candidates & Civil Campaigns** - Ranked choice voting encourages more candidates to run because the tone of the races are more civil. Instead of negative campaigning, candidates focus on the issues and reach out to voters who prefer other candidates to win backup support.
- **Stronger Voice & Clear Outcome.** Voters gain the ability to express their preferences for candidates more fully than being limited to one. In addition, the winner must earn a majority of votes, helping to establish a clear winner based on the broadest support.

It is very likely that we will have multiple individuals vying to be the standard bearer in the major political parties in 2028. RCV Maryland urges a favorable report from the Ways & Means Committee to help the state prepare for the upcoming 2028 presidential primaries and give Maryland voters a strong voice to decide.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Whittaker".

Michelle Whittaker
Executive Director
Ranked Choice Voting Maryland

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BACKGROUND INFORMATION ON RCV IN PRESIDENTIAL PRIMARIES

Ranked Choice Voting was used for the 2024 presidential primaries in Maine and by the Republican Party in the U.S. Virgin Islands.

In 2024, the Republican Party in the U.S. Virgin Islands became the first Republican state party to use RCV in a presidential primary. Maine became the first state to use RCV in its government-run presidential primary.

U. S. Virgin Islanders were able to rank the six candidates on the ballot. About 10% cast their first choice for a withdrawn candidate. But unlike in other states, the vast majority were able to have their voices count in the outcome because of ranked choice voting.¹

In 2020, five (5) states used ranked choice voting for their Democratic presidential primaries: Nevada, Kansas, Alaska, Hawaii, and Wyoming.

RCV TABULATION & ELECTION-SUPPORTING TECHNOLOGY

During the State Board of Elections (SBE) briefings before the Senate² and House³ (on January 9 and January 14, respectively), State Administrator Jared DeMarinis responded to questions regarding the capabilities of state voting machines to handle ranked choice voting.

DeMarinis stated that current election equipment can produce and scan a ranked ballot, along with collecting the data from ranked ballots. While the current system cannot tabulate results, it is possible to complete RCV tabulation of the cast vote record (CVR) by either requesting this functionality from the current voting system vendor or using federally tested, open-source software, such as RCTab.⁴

RCV Maryland supports language in SB 383 to facilitate SBE regulating election-supporting technology that may be used with ranked choice voting elections.

¹ "The 2024 presidential primaries and ranked choice voting," Matthew Oberstaedt, September 10, 2024 <https://fairvote.org/report/the-2024-presidential-primaries-and-ranked-choice-voting/>

² Senate Education, Energy, and the Environment Committee, January 9, 2025 <https://www.youtube.com/live/nVbcOgBZNks?si=OcCPyHBSka4IHPZ2&t=4503>

³ House Ways and Means Committee, January 14, 2025 <https://www.youtube.com/live/UEQhb117JgA?si=PRGh3qZmdKEgWKqe&t=5125>

⁴ Ranked Choice Voting Resource Center, "RCTab Tabulation Software," <https://www.rcvresources.org/rctab>