

**February 24, 2025**

**Testimony on HB 1043**  
**Maryland Voting Rights Act of 2025 – Voter Suppression and Vote Dilution**  
**Ways and Means**

**Position:** Favorable

Common Cause Maryland is in support of HB 1043, a landmark piece of legislation that builds on successful Voting Rights Act models enacted recently in Virginia, New York, California, Connecticut, and other states. The bill takes the necessary steps to protect the voting rights of all Marylanders at the state level – but especially Black and Brown voters who have historically been denied the equal opportunity to participate in the democratic process – regardless of what direction the Supreme Court takes federal law.

Maryland has a generally progressive reputation nationally. However, many of our state's counties and cities have a troubling history when it comes to race and voting: English literacy tests, property ownership requirements, grandfather clauses, and entitlements linked to voting are just a few examples of the legal discrimination faced by Black and Brown voters attempting to exercise their right to vote.

Despite the strides towards equality that society has made since the Civil Rights movement, the spirit of many of these discriminatory practices has been carried forward to the present day: for example, some jurisdictions still use election systems which can empower a white majority to capture most or all seats, even when there is a substantial population of Black, Indigenous, and other voters of color.

HB 1043 includes a framework to better uncover and dissipate voter dilution and barriers that deny voter the opportunity to vote in a way that is efficient and cost-effective for both voters and local governments within the state. This is done through enforcement by the Maryland Attorney General, or private plaintiffs.

Racial vote dilution occurs when electoral practices, such as unfairly drawn district maps or discriminatory voting systems, weaken the voting power of voters of color, effectively denying them meaningful political representation. At one time, the federal Voting Rights Act of 1965 was hailed as one of the most effective and transformative pieces of civil rights legislation in United States history.

Section 2 of the federal VRA addressed a long history of discrimination by prohibiting racial vote dilution and voter suppression. However, federal courts, including the U.S. Supreme Court, have severely limited the federal VRA's protections. At the same time, the federal government is not only failing to protect voters against discrimination in voting, but also

actively advancing anti-voter policies. This is why it is more important now than ever to codify strong protections for voters at the state level.

The MDVRA improves on the federal VRA in several ways. It implements streamlined standards and procedures that protect the right to vote and make this type of litigation less expensive and time-expensive than litigation under the federal VRA. Currently, Maryland law contains no protection against racial vote dilution, and recent legal challenges to racially dilutive voting systems in Federalsburg and Baltimore County underscore the crucial need for these types of protections within the state.

A clear-cut example of vote dilution within our redistricting process occurred as recently as 2022. A group of Baltimore County voters joined with Common Cause Maryland, the Baltimore County branch of the NAACP, and other partners to file a federal lawsuit to challenge a racially discriminatory and unlawful redistricting plan that was approved by the Baltimore County Council in December 2021.

According to 2020 U.S. Census data, roughly 30 percent of Baltimore County residents are Black and nearly half of residents are people of color, reflecting the growing diversity within the county. Despite this, five out of seven districts in the plan the Council originally approved were majority white and a sixth had a 49.41 percent white plurality in its voting age population. This meant that an excessive number of Black voters were packed into the single majority-Black district within the county. After hearing the evidence, a Baltimore County judge filed a preliminary injunction requiring the map to be redrawn to ensure more proportional representation for the county's Black residents. A prohibition against vote dilution will help prevent issues like this from becoming law, saving both voters and local governments time and money spent on costly litigation.

We know that when voters of color are systemically prevented from electing their preferred candidates, entire communities – our friends and neighbors – are left without a voice in decisions that will directly impact their lives. Combatting vote dilution at the state level is a very necessary step towards a more inclusive, representative state government that is truly by and for the people.

Importantly, H.B. 1043 also offers protections against vote suppression, which is the use of standards, policies, and practices that deny or abridge the right to vote, such as disproportionately closing polling places in communities of color. Additionally, H.B. 1043 features a pre-suit notice process that encourages collaboration between parties to remedy potential violations before resorting to litigation, which ultimately saves time and money for everyone involved.

There is strong support for voting rights acts at the state level – according to a poll conducted by the NAACP Legal Defense Fund, more than three-quarters of voters support a voting rights act in their state (78 percent) with support for the legislation transcending partisan and demographic lines. Voters feel strongly that their voting rights are being threatened nationally, and nearly three-quarters (73 percent) want their state representatives to prioritize codifying a VRA in their state.<sup>1</sup>

As we celebrate 60 years of the federal Voting Rights Act in 2025, it is unfortunate that attacks on the freedom to vote at the federal level have become our new normal. Now is the time for Maryland’s legislators to take the necessary steps to safeguard voters from discrimination and intimidation at the state level, ensuring that we are protected regardless of what happens at the federal level.

For these reasons, we urge a favorable report on HB 1043.

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<sup>1</sup> <https://www.naacpldf.org/wp-content/uploads/LDF-State-VRA-Poll-Key-Findings-Short-Deck-1-30-25.pdf>