

02/26/2025

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON HB#1280 – FAVORABLE

Election Law - Affiliating With a Party and Voting - Unaffiliated Voters

TO: Chair Atterbeary, Vice Chair Wilkins and members of the Ways & Means Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of HB#1280, Election Law - Affiliating With a Party and Voting - Unaffiliated Voters

This bill makes it clear that the State of Maryland will take positive actions to uphold the right to vote. As it currently exists, primary elections exclude unaffiliated voters from voting for candidates of their choice unless they affiliate with a specific political party.

Ballotpedia, the Encyclopedia of American Politics, has studied the issue of closed primaries in detail.¹

Whether primary elections should be closed is a subject of debate.

Supporters of closed primaries [argue](#) that parties have a right to allow only members to select nominees, that closed primaries prevent sabotage instead of disenfranchising non-party members, that closed primaries don't produce more ideologically extreme nominees, and that public funding doesn't preclude closed primaries.

Opponents of closed primaries [argue](#) that primaries should be open to all registered voters because they are publicly funded, that closed primaries could produce more ideologically extreme nominees, that primary elections often decide races in some locations, and that instances of sabotage in non-closed primaries are rare.

The Maryland Department of Legislative Services reported:²

Statewide, the percentage of eligible registered voters who voted in the 2020, 2022, and 2024 primary elections was 42%, 27%, and 28%, respectively. In a primary election, not all registered voters are eligible to vote. Only Democratic Party and Republican Party

¹ https://ballotpedia.org/Arguments_for_and_against_closed_primaries

² <https://dls.maryland.gov/pubs/prod/NoPblTabDashbrd/Elect/PrimaryElectionTurnoutByCounty.pdf>

registered voters, and third party or unaffiliated registered voters who live in a jurisdiction in which a nonpartisan (i.e., school board) race is being voted on, are eligible.

This bill lets voters who use an early voting center to participate in an open primary regardless of their political party affiliation for their voter registration. It does that by authorizing unaffiliated voters to request to affiliate with a political party at an early voting center during a primary election and vote a ballot for the voter's preferred political party.

Every action Maryland can take to increase the percentage of voters participating in voting strengthens our democracy and gives more people the incentive to engage with our political systems. It will build the habit of voting among a currently disincentivized population.

I respectfully urge this committee to return a favorable report and pass HB1280.