



**Maryland House of Delegates  
Ways & Means Committee  
February 24, 2025  
Submitted February 20, 2025  
HB 1044 (FAV)**

Thank you for the opportunity to submit testimony in support of HB 1044, which establishes a preclearance program and prohibits voter intimidation and obstruction as part of the Maryland Voting Rights Act of 2025. Fair Elections Center is a nonpartisan, nonprofit organization dedicated to removing barriers to registration and voting through advocacy and impact litigation.

HB 1044 establishes critical protections against discrimination, harassment, intimidation, obstruction, and deception in voting. As a key part of the Maryland Voting Rights Act legislative package, its enactment would cement Maryland's status as a national leader in protecting the right to vote. Despite Maryland's steady progress in making voting more equitable and accessible, racial disparities persist in both voter participation and local representation. At the same time, harassment and intimidation represent increasing threats to both voters and election workers.

HB 1044 addresses these related problems in two powerful ways.

**A preclearance program that stops discrimination before it starts:** HB 1044 would prevent discrimination in voting before it starts through the use of a "preclearance" program that requires local governments in high-risk areas to seek pre-approval from the Maryland Attorney General or a court before any changes to voting rules or practices may be made. HB 1044 establishes a framework for identifying areas that are "high-risk" by considering past voting or civil rights violations, voter participation disparities, or discrimination in the criminal legal system that can lead to disenfranchisement. In the absence of a strong federal preclearance program—which formerly existed under Section 5 of the Voting Rights Act of 1965—it is critical that Maryland pass this prophylactic reform.

**Civil prohibitions on voter intimidation and obstruction:** HB 1044 provides robust civil protections against voter intimidation, deception, and obstruction to complement existing criminal prohibitions. Most importantly, this bill empowers voters and election officials to protect

themselves against threats and abuse without having to depend upon state officials. HB 1044's civil protections are more expansive than those in Section 11(b) of the federal Voting Rights Act because they directly address the emerging issue of voter deception, and they allow voters to receive financial compensation from those who harm them.

Enacting HB 1044 would be a historic step to fill the gaps left by federal law and ensure Maryland voters are safe from discrimination and intimidation. Fair Elections Center urges swift passage of this bill. If you would like further information, please feel free to contact Michelle Kanter Cohen, Policy Director and Senior Counsel at Fair Elections Center, at [mkantercohen@fairelectionscenter.org](mailto:mkantercohen@fairelectionscenter.org).