

TO: Members of the Economic Matters Committee, Maryland House of Delegates

DATE: February 16, 2026

RE: OPPOSITION to HB0514 – The Nonpartisan Act / Charitable Organization Restrictions

To the Honorable Chair and Members of the Committee,

I am writing today to express my strong **opposition** to HB0514. While the stated goal of maintaining nonpartisanship in charitable organizations may seem neutral on the surface, this bill represents a dangerous overreach that threatens the fundamental principle of **Freedom of Speech** protected by the First Amendment.

My opposition is based on the following three critical points:

1. The "Unconstitutional Conditions" Doctrine

The government cannot condition a public benefit—in this case, tax-exempt status—on the requirement that a recipient surrender a constitutionally protected right. Tax exemption is not a "gift" that allows the state to buy the silence of its citizens; it is a recognition of the public good these organizations provide. Forcing charities to choose between their financial viability and their right to speak on matters of public importance is an unconstitutional trade-off.

2. The Chilling Effect on Civic Engagement

The vague definitions of "political activity" within this bill will inevitably lead to a "chilling effect." Charitable organizations—whether they focus on poverty, the environment, or civil rights—are often the most informed voices on public policy. If these groups fear losing their tax-exempt status over any statement that could be interpreted as "partisan," they will stop speaking altogether. This silences the very experts we need in our democratic discourse.

3. Unequal Playing Field

It is fundamentally unfair to allow corporations and well-funded special interest groups to exert massive political influence while stripping the same right from non-profit organizations that represent the marginalized and the voiceless. This bill creates a hierarchy of speech where only those who do not rely on tax-exempt status are allowed to participate in the political process.

Conclusion

Democracy thrives on robust, uninhibited debate. HB0514 uses the tax code as a muzzle to prevent charitable organizations from fulfilling their mission of social advocacy. I respectfully urge this committee to issue an **unfavorable report** on HB0514 to protect the free speech of all Marylanders.

Sincerely,

Lauren Kang