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THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

SB237 Testimony: Faithless Electors **Committee on Government, Labor, and Elections** **Wednesday, April 1, 2026, 1:00 PM**

Every four years, Maryland selects 10 presidential electors to formally cast votes for President and Vice President in the Electoral College. These electors are expected to reflect the will of Maryland voters. A “faithless elector” does not vote for the candidate who received the most votes in our state. Maryland is [one of 37 states](#) that requires presidential elector nominees to pledge their vote for the winning candidate. Twenty-four states and DC have strong, enforceable laws disqualifying faithless electors. Thirteen states, including Maryland, have inadequate protections, and the remaining thirteen states have none at all.

Undermining Election Integrity

Even a single faithless vote in a close election could affect the outcome and further erode trust in our democracy. The 2016 presidential election saw the largest number of faithless electors (seven) in modern history, creating controversy and public concern. Some states have addressed this issue by replacing faithless electors with alternates (e.g., Colorado, Michigan, Minnesota, among others), imposing fines (North Carolina and Oklahoma), or criminalizing this behavior (New Mexico and South Carolina). Maryland has no mechanism to prevent or remedy an Electoral College vote cast for a candidate who did not win the State’s popular vote. That vote is counted, and the elector faces no consequence.

Ensuring Fidelity

SB237 would strengthen Maryland’s electoral system by:

- Requiring that presidential electors sign a pledge of faithfulness for the candidate who received the most votes in Maryland.
- Deeming any elector who fails to fulfill their pledge as having resigned, creating a vacancy.
- Replacing the faithless elector with an alternate, who would cast their vote in accordance with the State’s popular vote.

This bill follows the [Uniform Faithful Presidential Electors Act](#) recommended by the National Conference of Commissioners on Uniform State Laws. It would align us with the growing number of states that have enacted enforceable protections against faithless electors.

Faithless electors threaten public confidence in our democratic system. SB237 would ensure that the votes of Marylanders are accurately represented in the Electoral College and therefore protect election integrity.

The House and Senate versions of the bill are not in the same posture. HB182 was amended to specify procedures for implementation by the State Board of Elections in the event that (a) the Interstate Compact on the popular vote -- "Agreement Among the States to Elect the President by National Popular Vote" -- to which Maryland is a party -- is in effect, or (b) if the Interstate Compact is NOT in effect.

We are open to amending SB237 to match the House version.

The bill would take effect on October 1, 2026.

SB237/HB182 passed unanimously out of their respective committees and chambers.

I respectfully request a favorable report (with the House amendments) on SB237.