

# OPEN PRIMARIES

Testimony of Jeremy Gruber, SVP of Open Primaries  
House Government, Labor, and Elections Committee

February 11, 2026

HB 496– Maryland Open Primaries

Chair Wells and Members of the Committee,

My name is Jeremy Gruber and I am the Senior Vice President of Open Primaries—a nonpartisan non-profit organization dedicated to more open and inclusive election systems. I am also a long-time independent voter. I want to thank you for the opportunity to submit testimony in favor of HB 496.

There are close to a 1 million registered independent voters in Maryland, making up almost a quarter of all registered voters in the state. Yet these voters are barred by law from voting in primary elections. To put that in context, Maryland bars more voters from participating in its primaries by virtue of being independent than exist of all political persuasions in nine U.S states including neighboring Delaware. There is no context where that isn't a crisis in democracy.

Maryland's independent voters are not going away. They are the fastest growing group of voters in the state by far, having surged in numbers over the last ten years. Denying the fastest growing group of voters in the state the ability to participate in public, taxpayer funded elections is simply unsustainable.

Because that's exactly what primaries are—public elections. In fact there is nothing private about them. They cost Maryland taxpayers millions of dollars every election year. They are held in government buildings, run by government employees and administered by the State Board of Elections. Rules for how primary elections are run are set by state law, not party rules. Yet these elections remain closed to many of the taxpaying citizens that fund them despite the fact that the right to vote is ingrained in the Maryland Constitution. It's a modern version of taxation without representation.

Who are independent voters? They are a cross section of citizens, but some groups stand out. That starts with our young people. Over 50% of millennial and GenZ voters—now the largest group of voters by age in the country—are not affiliated with a political party.

Half of our military veterans—49% of Iraq and Afghanistan veterans in particular—are independent. They fight for our country, and come home to an election system that shuts them out. 52% of Latinos, 41% of Asian Americans, 20% of African Americans and 27% of Native Americans are independent. These are the voters being shut out in closed primaries; who are

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denied a say in who represents them and how they are governed. It's a massive act of voter suppression.

That increasingly matters, because general election races in Maryland are becoming more and more uncompetitive. That means the state's primary elections are where the real choices and real opportunities to have a meaningful impact exist for voters.

All the research shows that voter participation goes up in open primaries. The Bipartisan Policy Center among others issues reports that consistently find that to be the case. If you let more people vote, participation goes up-that's simple math. What's less appreciated is how broadly voter participation goes up. Because it's not just the primaries. Studies show that voter participation goes up in the general election as well. That's because once you establish a culture of voting-every election is impacted. That's why when Colorado adopted legislation almost identical to HB 496, voter registration in the state surged, and the state shattered records for participation.

Maryland is in poor company as one of only 14 states that continue to maintain a closed partisan primary, with 36 states having open primaries. These are blue states like California and Massachusetts, red states like Texas and Tennessee and purple states like Arizona and North Carolina. In the past five years alone, Alaska, Colorado, Maine, and New Mexico have opened their primaries, as well as the cities of St. Louis and Washington, D.C. There is a robust debate over similar legislation in Pennsylvania. New Mexico is the most recent state to adopt this reform, following the passing of a bipartisan reform bill just last year granting more than 330,000 independent voters the right to vote in that state's primary elections starting this year.

Some folks say well then independents should just join a party. Imagine if the state of Maryland told Democratic Party voters they had to register Republican to vote in the primary or vice versa. That is what the current system asks of independents-to join a party whose values they don't align with in order to vote in elections they help fund.

It's time for Maryland to follow the vast majority of states that are building long term bridges to independent voters. As Democratic Party leader Rahm Emmanuel wrote in a Wall St. Journal editorial just last week "independents will be a durable party of any majority moving forward." It's time for both parties to recognize that the electorate is going through a massive seachange. 45% of American voters now identify as independent. That's not simply aspirational. Independents are already the largest group of registered voters in 10 states and the second largest group of registered voters in the majority of others.

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That change is already happening in Maryland. In fact last year alone the state Democratic and Republican parties lost a combined 50,000 members while independent registration grew by an equal amount. A widening gap is developing between both political parties and the voters. Open primaries can begin the process of closing that gap.

That's why HB 496 is such an important bill. Everyone benefits from a healthier, more inclusive political system. It is a solution that enjoys broad, bipartisan support among voters. It's time to tell everyone in Maryland: No more taxation without representation. No more closed primaries that shut out the fastest growing group of voters in the state from exercising the franchise. HB 496 would let all voters vote in primary elections, it's that simple and that profound. I hope you will lend your support to it.

Thank you again and I'm happy to serve as a resource to the legislature as you debate this important bill.

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