

Statement by Independent Voters of Maryland in Support of HB0496 Election Law – Unaffiliated Voters – Open Primary Elections

To: House Committee on Government, Labor, and Elections

From: Melanie Combs-Dyer, Executive Director, Independent Voters of Maryland

Position: **Support**

Date: February 9, 2026

Chair, Vice Chair, and Members of the Committee:

My name is Melanie Combs-Dyer and I chair the executive committee of Independent Voters of Maryland. Our mission is to;

- fight for voting rights of independent/unaffiliated voters to have just as much say as affiliated voters and
- Increase awareness of lack of open primaries and independents' lack of rights

I am writing in strong support of House Bill 0496.

This bill proposes legislation that would allow an unaffiliated voter to cast a ballot at an early voting center or on Primary Election Day without being forced to first join a party. At its core, this bill is about two things: **voter empowerment** and **fairness**.

The Problem with the Current System

Under current Maryland law, unaffiliated voters—who represent a growing share of the electorate—are prohibited from participating in primary elections. Unaffiliated voters are effectively excluded from the most consequential stage of most elections. The current system disproportionately affects young voters and people of color — the people who are more likely to be unaffiliated.

I'm a provisional election judge in my local community. I feel sad when I see unaffiliated voters at the polls on Primary Election day and end up at my station. It means they did not realize that the Maryland state law excludes all voters except registered Republicans or registered Democrats. I have to watch them place their completed ballot in my orange provisional ballot bag. I know their ballot will most likely not be counted.

This system is unfair and unconstitutional¹.

Why This Bill Matters

HB0496 modernizes our elections by recognizing how people actually engage with politics today. Voters increasingly make decisions based on issues, candidates, and current events—not on rigid, long-term party labels. This bill respects that reality.

Allowing unaffiliated voters to vote without having to join a party:

- Expands access without expanding risk.
- Increases turnout and civic engagement.
- Encourages accountability and competition in primary elections.
- Strengthens, rather than weakens, the legitimacy of primary outcomes.

Importantly, this bill does not eliminate parties. It simply gives individual voters the freedom to decide how they wish to participate.

The Broader Impact

In Maryland, many general elections are effectively decided in the primary. When access to the primary is restricted, representation is narrowed.

HB0496 helps ensure that elected officials better reflect the full spectrum of Maryland voters, not just the most partisan voters.

Democracy works best when participation is broad, fair, and accessible.

Conclusion

HB0496 would bring thoughtful, responsible, and forward-looking reforms. If enacted, it would strengthen voter choice, increase engagement, introduce fairness and modernize

¹ Independent Voters of Maryland believes that Maryland’s current primary system is **unconstitutional**. The Maryland constitution states in Article 1 Section 1 that residents have a right to vote “at all elections to be held in this state.” The United States’ constitution created a fundamental right of equal protection under the law which is violated by a voting system that illegitimately infringes on the rights of certain voters simply based on their status as “unaffiliated” voters.

Maryland's election system.

For these reasons, I respectfully urge each of you to support HB0496

Thank you for your time and consideration.