

Michael Phillips  
Frederick, MD  
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To the House Government, Labor, and Elections Committee and the Senate Education, Energy, and the Environment Committee:

**RE: Written Testimony in Opposition to HB2100 / SB2100 — Congressional Redistricting Constitutional Amendment**

My name is Michael Phillips. I am a Maryland resident submitting this testimony as a private citizen in opposition to HB2100/SB2100. I live in Maryland's Sixth Congressional District, where the current map already pairs western Maryland with Montgomery County, leaving voters here represented by a district whose population center is hours away and whose priorities often are not ours. I do not want to see the state's one remaining competitive district redrawn the same way. I ask the committees to reject this legislation.

**The timing is the problem, regardless of which party benefits.** This bill exists because the Democratic majority in Annapolis wants a legal path to redraw Maryland's congressional map before the next census, in direct response to mid-decade map-drawing in Texas and other Republican-led states. That is an arms-race justification, not a governance one. If the standard becomes "we redraw when the other side redraws," no state's map is ever final, and every legislature has a standing incentive to revisit district lines whenever it holds a temporary majority. That is true whether the party doing it is red or blue. I would oppose an equivalent maneuver by Republican legislators in another state on the same grounds, and I ask the committees to hold Maryland to the same standard.

**The bill does more than reallocate an existing standard — it removes state constitutional criteria for congressional maps entirely.** The operative text does not merely confirm that Article III, § 4's compact, contiguous, and equal-population requirements govern only General Assembly districts. New Article III, § 62(B) goes further, stating that "nothing in this article or elsewhere in this Constitution, including the Declaration of Rights, provides applicable criteria for the boundaries of a congressional districting plan" — in other words, it strips away every state-level rule that currently constrains how the lines may be drawn. That is the specific legal basis — Articles 7, 24, and 40 of the Declaration of Rights — that the Circuit Court for Anne Arundel County relied on in *Szeliga v. Lamone* and *Parrott v. Lamone* to hold that congressional maps were subject to state constitutional constraints at all. This bill does not just relocate the compactness standard; it leaves federal law as the only remaining check.

**The promised judicial safeguard is optional, not guaranteed.** New § 62(A) does not require Supreme Court of Maryland review of future congressional maps. It merely authorizes the General Assembly to “grant original jurisdiction” to the Court to review a plan, at the General Assembly’s own future discretion. A legislature free to draw congressional lines with no constitutional criteria, and no obligation to submit those lines for judicial review, is not a legislature operating under a meaningful check.

**The ballot question voters will actually see oversells what the amendment does.** The question required by Section 3(b)(2) tells voters the amendment “requires the criteria for boundaries of congressional districts to be determined by applicable federal laws,” language that reads like a new standard is being added. In practice it removes the existing state constitutional standard and leaves whatever federal law happens to require — a backstop the U.S. Supreme Court has recently narrowed. Voters asked to approve this amendment in November deserve ballot language that describes a removal of protection as a removal, not as a new requirement.

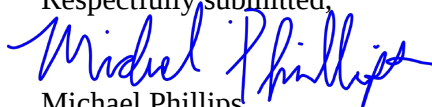
**The preamble itself signals this is about a future map, not a correction to the current one.** The bill states it is “not intended to provide new grounds to challenge the plan enacted by Chapter 16 of the Acts of 2022,” Maryland’s current congressional map. That makes clear this amendment’s purpose is to clear constitutional obstacles to a *new* map, not to resolve a defect in the existing one — which is consistent with the mid-decade, arms-race motivation described above rather than a neutral governance reform.

**The bill exempts itself from the normal local-approval check on constitutional amendments.** Section 2 has the General Assembly declare that the amendment “affects multiple jurisdictions” specifically so that Article XIV, § 1’s local-approval requirement does not apply. An amendment that removes the only state constitutional constraint on how congressional lines are drawn is being pushed through without the local sign-off that Article XIV would otherwise require.

**Placing this on the ballot in the same cycle it is designed to enable does not cure the process problem.** A compressed three-day special-session timeline, with a same-day written-testimony deadline, gives voters and the public very little room to evaluate a constitutional change that removes their state’s only independent check on how their congressional districts are drawn.

For these reasons — process and substance alike — I respectfully urge the committees to vote unfavorably on HB2100/SB2100.

Respectfully submitted,



Michael Phillips

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