

TESTIMONY FOR SB0346
Civil Actions – Violation of Constitutional Rights (No Kings Act)

Bill Sponsor: Senators Waldstreicher
Committee: Senate Judicial Proceedings
Person Submitting: Donna Hoffmeister
Position: FAVORABLE

Chair, Vice Chair, and Members of the Committee,

SB0346 establishes a clear civil cause of action for individuals whose constitutional rights are violated by someone acting under official authority. Marylanders should not be denied justice simply because a violation occurs at the state or local level rather than under federal law. This bill closes that gap and makes constitutional protections real and enforceable.

I support SB0346 because it:

Expands Legal Recourse: It broadly defines “law” to include the U.S. Constitution, the Maryland Declaration of Rights, and the Maryland Constitution, ensuring there are no loopholes for state-level violations of fundamental rights.

Provides Meaningful Remedies: By authorizing damages, declaratory relief, and injunctive relief, the bill offers real—not merely symbolic—accountability when rights are violated.

Removes Financial Barriers: It allows courts to award reasonable attorney’s fees and expert witness costs to prevailing plaintiffs, making it possible for ordinary Marylanders to hold powerful officials accountable.

The ability to exercise First Amendment rights—to speak freely, advocate, and participate fully in civic life—depends on having enforceable protections. SB0346 strengthens that security by ensuring that when rights are violated, there is a clear path to justice.

For these reasons, I respectfully urge a favorable report on SB0346.

Donna Hoffmeister
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