

2020 LEGISLATIVE REVIEW

This session, Common Cause Maryland supported many significant reforms that responded to election issues, the public's demand for more accountability and transparency in our government and from individual public officials, and advanced technical reforms on a range of issues. We saw over 100 election related bills signaling that the people of Maryland desire a robust and highly functioning democracy.

Ultimately, the national health crisis surrounding COVID-19 led to the adjournment of session three weeks ahead of schedule. We support this decision and even [called for them to recess](#) early on rather than continue to operate with only limited input from the public. As a result, many democracy related reforms that may have passed this session took a backseat to other legislation and simply ran out of time passing both chambers. On the bright side, numerous pieces of legislation that did not make it this year have a successful framework that will hopefully help it pass in 2021.

Passed **Failed**

Access to Voting

Mail in Voting + Prepaid Postage for Return of Ballot - Requires the State Board of Elections and local board of elections to refer to absentee ballots as “mail-in ballots” and absentee voting as “mail-in voting”. Additionally, the legislation requires that envelopes used by voters voting by absentee ballot include prepaid postage. Originally two different bills, SB33/HB881 was amended onto HB37/SB145 which passed. (Sen. Kagan, Del. Palakovich Carr, Del. Smith, Sen. Hester)

Special Election to Fill a Vacancy in Office -Altering the procedure for filling legislative vacancies through a constitutional amendment. The Amendment would have required the Governor to declare a special primary and general election to fill the vacancy if it occurs on or before a specified date, giving Marylanders more of a voice in the process. HB103/SB10 (Del. Moon, Sen. Lam)

Voting for Eligible Incarcerated Voters – Expanding access to voting for eligible voters who are incarcerated, requiring each correctional facility to disseminate voter registration forms, absentee ballot applications, and information on voting provided by the State Board of Elections. HB568/SB372 (Del. Mosby, Sen. West)

Student Voter Empowerment Act of 2020 – Making access to registration and voting more accessible to students by requiring public institutions of higher education to create a voter outreach program. It includes designating a staff member as the student voting coordinator, requiring institutions that meet the population threshold to have a polling place on campus, and more. HB245/SB647 (Del. Luedtke, Sen. Lam)

Vote by Mail Study - Requiring the Department of Legislative Services, in consultation with the State Board of Elections and the Maryland Association of Election Officials, to study the implementation of vote by mail in Maryland. HB426/SB408 (Del. Mosby, Sen. Kramer)

Campaign Finance

Maryland Fair Elections Act – Modernizes the existing Gubernatorial public financing system, making it similar to the small donor matching system at the local level, and expanding the program to include Attorney General and Comptroller races. HB1125/SB613 (Del. Feldmark, Sen. Pinsky)

Public Financing Act - Creating a small donor matching system for General Assembly candidates so that they can run free from the influence of wealthy donors. HB1351/SB947 (Del. Mosby, Sen. Pinsky)

New Positions Campaign Finance Enforcement and Compliance – Establishing two new State Board of Elections positions for the purpose of enforcing campaign finance violations and ensuring compliance with campaign finance law. HB1222 (Del. Wilkins)

Local Public Campaign Financing for Boards of Education - Allowing for public campaign finance systems in the counties to also cover the board of education, expanding on the Campaign Finance Reform Act of 2013. HB337/SB298 (Del. Ebersole, Sen. Lam), also HB792 (Montgomery County Delegation)

Disclosure of the Use of Bots – Requires that the usage of a bot to publish, distribute, or disseminate campaign material online to another person in Maryland for the purpose of influencing an election be disclosed. HB465 (Del. Cain)

Contributions, Expenditures, or Donations by Foreign-Influenced Corporations or Foreign Principals – Prohibiting specified foreign, or foreign-influenced, campaign finance-related contributions, expenditures, communications, or donations in Maryland elections. HB34/SB87 (Del. Palakovich Carr, Sen. Lam)

Campaign Finance Reports for Business Contributors – Helping easily identify suspicious donations from businesses in our elections by requiring the State Department of Assessments and Taxation to electronically transmit certain lists of registered and forfeited businesses to the State Board of Elections. HB437 (Del. Mosby)

Redistricting Reform

Fair Maps Act – Amending the Maryland Constitution to require both the congressional and legislative districts to have the same redistricting standards, also adding additional protections that reinforce Voting Rights Act and protections for communities of interest. It would also establish and implement an open hearing process for public input and deliberation. HB1431/SB967 (Del. Wilkins, Sen. Washington). Also supported similar legislation HB1460, HB1491 (Del. Malone)

Redistricting Utilizing Population Count - Prohibiting the exclusion of individuals based on citizenship status from certain population counts used for redistricting congressional districts and certain legislative districts. HB818 (Del. Wilkins)

Redistricting Reform Act of 2020 – Creating an independent commission to draw Legislative and Congressional district lines, set compactness standards for our Congressional districts, and ensure transparency and opportunity for public comment in the process. (Gov. Hogan)

Transparency and Accountability

PIA Responses and Time Limits – Reducing the timeline for response to Public Information Act (PIA) requests from 30 days to 7 days and, if the custodian denies the request, a letter explaining the denial within 5 days. HB42/SB67 (Del. Guyton, Sen. West)



Public Ethics Violations and Crimes - Increasing certain penalties for bribery relating to a public employee. It would also prohibit a former secretary of a principal department of the Executive Branch from representing another party for compensation in a matter that is the subject of legislative action, for one year. HB315/SB202 (Del. Stewart, Sen. Kagan)

Public Information Act - Builds on the successful implementation of the PIA Compliance Board and the Ombudsman by taking advantage of the Board that has been underutilized and expanding its jurisdiction, ensuring all requesters who are unable to afford legal representation are provided with an alternative to resolving their disputes. Also lowers the current \$350 threshold to \$200 and requires regular reporting from agencies. HB502/SB590 (Del. Lierman, Sen. Kagan)

Open Government, Better Government Act - Increases the jurisdiction of the PIA Compliance board to hear disputes regarding fee waivers and fees above \$200. Also provides a definition of “public interest,” and requires a fee waiver for requests by indigent persons, inmates, and representatives of the news media under certain conditions. HB401/SB758 (Del. Barron, Sen. Lam)

Maryland State Agency Transparency Act - Increases access to and the efficiency of several State agencies meeting processes by requiring that meeting agendas and minutes be made available online. Also, that meetings be made publicly available by live stream and archived for at least one year. HB421/SB363 (Del. Korman, Sen. Kagan)

Other Initiatives

Avert Dangerous Call for a Constitutional Convention - Averting call for a constitutional convention which would place every constitutional right and protection currently available to American citizens in jeopardy. HJ10/SJ2 (Del. Ruth, Sen. Pinsky)

Funding for Historically Black Colleges and Universities – This bill was supported by our [HBCU Student Action Alliance](#) and ensures that Maryland Historically Black Colleges and Universities (HBCUs) receive adequate funding, requiring the Governor to include in the annual State operating budget \$57,700,000 to be allocated, establishing the HBCU fund. HB1260 (Speaker Jones)

