

February 16, 2021

Testimony on HB 746
Election Law - Absentee Ballot Envelopes - Party Affiliation
Ways and Means

Position: Unfavorable

Common Cause Maryland opposes HB 746 which would prohibit a voter's party affiliation from being visible on mail-in voting envelopes.

While we should be exploring ways to ensure ballot privacy for voters choosing to vote by mail, the solution presented in this legislation aims to address an issue that does not exist – fraud. Even with the increased usage of mail-in voting during the 2020 election cycle, there is no evidence that mail-in ballots were targeted, mishandled or went missing due to visible party affiliation.

Voter privacy is paramount and because of this, State law allows for the use of privacy envelopes. Jurisdictions have the option of sending voters requesting to a mail-in ballot either two or three envelopes. The use of multiple envelopes can cause confusion, but it is a provision available to address voter privacy – separating identity from the vote.

The Center for Civic Design has also proposed improved envelope designs, those designs that have been shared with the State Board of Elections. The proposed designs not only privacy – ultimately eliminating the need for use of multiple envelopes – but also ensure these materials are easily identifiable to voters when arriving by mail. The proposed designs also improve instructions provided on these materials, making them more clear and easier to understand.

We urge an unfavorable report on HB 746 and instead encourage the committee to look at ways to improve the overall design, privacy, and instructions included with mail-in voting ballots and materials.