

January 19, 2021

Testimony on HB 265
General Assembly – Special Election to Fill a Vacancy in Office
Ways and Means

Position: Favorable

Common Cause Maryland supports HB 265, which if approved by voters, would require a special election to fill seats vacated by members of the Maryland General Assembly in the instances where a vacancy occurs more than fifty five days prior to the filing deadline for the statewide elections held in the second year of the term.

Currently, in the event of a vacancy in the General Assembly, the Governor may appoint their replacement who may then fill that office for the duration of the office's term. While this can be an adequate solution in some situations, in others, it results in legislators filling nearly an entire term without giving their constituents a real say in the process.

HB 265 would change this, requiring that special elections be held to fill these vacated seats if the vacancy occurs prior to the candidate filing deadline. While not perfect, this bill would move the state towards a more democratic process that gives Maryland citizens a voice in choosing who represents them when these vacancies occur.

Similar to the process for filling vacancies for other offices, such as Comptroller, Attorney General, or United States Senate, HB 265 would also ensure the special elections occur at the same time as regular elections, helping to maximize awareness and drive turnout for the elections.

HB 265 is a straightforward bill that begins to shift the power to filling legislative vacancies to the voters of Maryland. As such, we urge a favorable report.