



Testimony for the House Ways and Means Committee

February 8, 2022

JUSTIN NALLEY
PUBLIC POLICY ANALYST

HB 320– General Assembly – Residency Requirement – Enforcement – Factors

FAVORABLE

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The ACLU of Maryland supports HB 320 which would specify the factors to be considered when the State Board of Elections or a court determines whether a candidate for or a member of the General Assembly meets the residency requirements of the Maryland Constitution.

Article III, Section 9 of the Maryland Constitution sets forth the eligibility requirements for which a person can serve as a Senator or Delegate.¹ This Constitutional section includes district residency requirements, but does not set forth how residency is established. This bill would ensure a transparent and equitable process that allows the State Board or a court to consider numerous factors to determine whether a member is a resident of a district, including driver licenses, utility bills, school registration, and employment records. This transparency will uphold values that are needed for a fair electoral process and ensure members are truly representing the community that elected them and which they serve.

For the foregoing reasons, the ACLU of Maryland urges a favorable report for HB 320.

¹ MD Const. art. III, § 9

