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To: The Honorable Vanessa E. Atterbeary
Chair, Ways and Means Committee

From: Hannibal G. Williams II Kemerer
Chief Counsel, Legislative Affairs, Office of the Attorney General

Re: HB 0113 – Elections – In-Person Voting – Proof of Identity – Oppose

The Office of Attorney General (the "OAG") urges this Committee to unfavorably report HB 113.

House Bill 113 seeks to adopt a constitutional amendment that would impose an identification requirement upon each Marylander seeking to vote in person at a polling place or early voting center. Voters would need to present an election judge "(1) a valid government-issued photo identification; or (2) a valid nongovernment-issued photo identification and a current utility bill, bank statement, paycheck, government check or other government document that states the voter's name and address." Under the bill, if the voter lacked identification satisfying the previous two standards, the voter could only cast a provisional ballot. Section 2 of the bill includes a General Assembly determination that because the constitutional amendment "affects multiple jurisdictions . . . that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply." Finally, Section 3 of HB 113 proposes to put the constitutional amendment on a November 2022 ballot for Maryland voters to consider.

Voter identification requirements are unnecessary and serve to disqualify otherwise eligible voters. They disparately impact the elderly, people of limited means, and people of color.¹ They are, in short, a solution in search of a problem because there is no evidence of

¹ Sari Horwitz, Getting a Photo ID So You Can Vote is Easy. Unless You're Poor, Black, Latino or Elderly, Wash. Post (May 23, 2016), available online at: https://www.washingtonpost.com/politics/courts_law/getting-a-photo-id-so-you-can-vote-is-easy-unless-youre-poor-black-latino-or-elderly/2016/05/23/8d5474ec-20f0-11e6-8690-

widespread voter fraud. Maryland law should seek to expand the franchise to as many eligible citizens as possible, not to constrict the franchise to only those individuals with ID and proof of address.

For the foregoing reasons, the Office of the Attorney General urges an unfavorable report on House Bill 113.

cc: Delegate Long & Members of the Ways and Means Committee

[f14ca9de2972_story.html](#) (last visited Mar. 1, 2021); *see also*, Issie Lapowsky, A Dead-Simple Algorithm Reveals the True Toll of Voter ID Laws, *Wired* (Jan. 4, 2018), available online at: https://www.wired.com/story/voter-idlaw-algorithm/?utm_medium=twitter&utm_source=dlvr.it (last visited Mar. 1, 2021).