

LINDSAY MYDRA WHEATLEY
3113 Edgar Road
Church Creek, MD 21622

-and-

MARY BETH CAROZZA
2205 N. Philadelphia Avenue, Unit 203D
Ocean City, MD 21842

-and-

CHRISTOPHER TROY ADAMS
7614 E. Longfield Drive
Hebron, MD 21830

-and-

JOHN FREDERICK MAUTZ IV
23942 N. Porters Creek Lane
St. Michaels, MD 21663

-and-

CHRISTOPHER READ WEST
7808 Overbrook Road
Towson, MD 21204

Plaintiffs,

v.

MARYLAND STATE BOARD OF ELECTIONS
151 West Street, Suite 200
Annapolis, MD 21401

-and-

JARED DEMARINIS, in his official capacity as
Administrator of the Maryland State Board of
Elections
151 West Street, Suite 200
Annapolis, MD 21401

-and-

SUSAN C. LEE, in her official capacity as
Secretary of State of the State of Maryland
16 Francis Street
Annapolis, MD 21401

IN THE CIRCUIT COURT

FOR

DORCHESTER COUNTY, MARYLAND

Case No. C-09-CV-26-000285

-and-

JIM SHALLECK, in his official capacity as
Member of the Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

-and-

VICTORIA JACKSON-STANLEY, in her
official capacity as Member of the Maryland State
Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

-and-

DIANE BUTLER, in her official capacity as
Member of the Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

-and-

ERIC BRYANT, in his official capacity as
Member of the Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

-and-

DORCHESTER COUNTY BOARD OF
ELECTIONS
1000 Goodwill Avenue
Cambridge, MD 21613

-and-

WORCESTER COUNTY BOARD OF
ELECTIONS
1 West Market Street
Snow Hill, MD 21863

-and-

WICOMICO COUNTY BOARD OF
ELECTIONS
345 Snow Hill Road
Salisbury, MD 21804

-and-

TALBOT COUNTY BOARD OF ELECTIONS
215 Bay Street, Suite 7
Easton, MD 21601

-and-

BALTIMORE COUNTY BOARD OF
ELECTIONS
5 Crossing Way
Owings Mills, MD 21117

Defendants.

**PETITION FOR REVIEW UNDER MD. CODE ANN., ELECTION LAW § 12-202 AND
COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiffs Lindsay Mydra Wheatley, Mary Beth Carozza, Christopher Troy Adams, John Frederick Mautz IV, and Christopher Read West, through counsel, submit this Petition for Review under Md. Code Ann., Election Law (“EL”) § 12-202 and Complaint against Defendants for declaratory and injunctive relief and allege as follows:

PRELIMINARY STATEMENT

1. This action challenges the placement of a proposed amendment to Maryland’s Constitution on the November 3, 2026, general election ballot. The proposed amendment, HB 2100, was signed by the Governor on August 5, 2026, *see* 2026 Md. Laws, ch. 881 (“HB2100”), after a hasty special session. If approved, the amendment will eliminate constitutional protections against the gerrymandering of the People’s congressional districts. It will also strip voters of their inalienable rights to free elections, equal protection, and free speech guaranteed by Articles 7, 24,

and 40 of the Declaration of Rights at least insofar as congressional redistricting “criteria” is concerned. In addition, the ballot language that will present this amendment to the voters is seriously misleading and fails to disclose any of these consequences. Because trying to deceive voters into surrendering their fundamental constitutional rights in this fashion violates Article XIV, § 1 and Article I, § 7 of the Maryland Constitution, and Articles 7 and 24 of the Maryland Declaration of Rights, among others, it cannot stand.

2. Further, HB2100 violates multiple provisions of the Election Law Article, including Sections 7-103 and 7-105, which set forth clear timelines and requirements for placing proposed constitutional amendments on the ballot in Maryland. These provisions of the Election Law Article are intended to *implement* the Maryland Constitution’s protection of due-process and free elections, and to ensure that voters are given reasonable notice and sufficient information to make a knowing choice. The violation of these statutes is another basis to enjoin HB2100, and the General Assembly’s effort to exempt HB2100 from those Election Law Article provisions is itself unconstitutional as it acts to retroactively strip Maryland citizens of their vested rights.

3. Finally, HB2100 also violates the single-subject requirement applicable to constitutional amendments. The purportedly single constitutional amendment in fact addresses three distinct subjects. But Article XIV, § 1 of Maryland’s Constitution prohibits such logrolling and limits an amendment to a single subject to ensure voter choice is preserved. HB2100 should have been three separate amendments and combining them violates the single-subject provision of Article XIV, § 1, providing an independent reason to enjoin it.

PARTIES

4. Plaintiff Lindsay Mydra Wheatley is a resident of the State of Maryland and registered to vote in the State of Maryland. Plaintiff Wheatley resides in Dorchester County.

5. Plaintiff Mary Beth Carozza is a resident of the State of Maryland and registered to vote in the State of Maryland. Plaintiff Carozza currently serves as a member of the Maryland Senate representing District 38. Plaintiff Carozza resides in Worcester County.

6. Plaintiff Christopher Troy Adams is a resident of the State of Maryland and registered to vote in the State of Maryland. Plaintiff Adams currently serves as a member of the Maryland House of Delegates representing District 37B. Plaintiff Adams resides in Wicomico County.

7. Plaintiff John Frederick Mautz IV is a resident of the State of Maryland and registered to vote in the State of Maryland. Plaintiff Mautz IV currently serves as a member of the Maryland Senate representing District 37. Plaintiff Mautz IV resides in Talbot County.

8. Plaintiff Christopher Read West is a resident of the State of Maryland and registered to vote in the State of Maryland. Plaintiff West currently serves as a member of the Maryland Senate representing District 42. Plaintiff West resides in Baltimore County.

9. Defendant Susan C. Lee is the Secretary of State for the State of Maryland and is sued in her official capacity. The Secretary of State is responsible for preparing and certifying the text of the proposed amendment to Defendant Maryland State Board of Elections under EL § 7-103(c)(1).

10. Defendant Maryland State Board of Elections is the state agency responsible for administering elections in Maryland, including the certification, printing, and canvassing of statewide ballot questions, and is charged with compliance with EL §§ 7-103, 7-105.

11. Defendant Jared DeMarinis is the Administrator of the Maryland State Board of Elections and is sued in his official capacity.

12. Defendants Victoria Jackson-Stanley, Jim Shalleck, Diane Butler, and Eric Bryant are members of the Maryland State Board of Elections. They are sued in their official capacities.

13. Defendants Dorchester County Board of Elections, Worcester County Board of Elections, Wicomico County Board of Elections, Talbot County Board of Elections, and Baltimore County Board of Elections are responsible for “oversee[ing] the conduct of all elections held in its county and ensur[ing] that the elections process is conducted in an open, convenient, and impartial manner,” for “serv[ing] as the local board of canvassers and certify[ing] the results of each election conducted by the local board,” and for “provid[ing] to the general public timely information and notice, by publication or mail, concerning voter registration and elections.” EL § 2-202(b)(1), (6), & (8). In particular, Defendants Dorchester County Board of Elections, Worcester County Board of Elections, Wicomico County Board of Elections, Talbot County Board of Elections, and Baltimore County Board of Elections must post proposed constitutional amendments “in a manner widely accessible to the public for at least 90 days before the general election,” EL § 7-105(e), must post or make available for public inspection the “complete text of” the ballot question for proposed constitutional amendments for 65 days prior to the general election, EL § 7-105(d)(1), and must “provide notice of each question to be submitted statewide” by mailing a “specimen ballot” or “publi[shing] or disseminat[ing] by mass communication” in the weeks prior to the election. EL § 7-105(a).

JURISDICTION AND VENUE

14. This Court has jurisdiction over Plaintiffs’ claims and the subject matter of this complaint under Md. Code Ann., Courts and Judicial Proceedings (“CJ”) § 1-501 and EL § 12-202, which applies “to an issue arising in an election conducted under this article” and authorizes a registered voter to “seek judicial relief from any act or omission relating to an election, whether

or not the election has been held, on the grounds that the act or omission: (1) is inconsistent with this article or other law applicable to the elections process; and (2) may change or has changed the outcome of the election.” EL § 12-202(a).

15. This Court additionally has jurisdiction and power to grant declaratory and injunctive relief under CJ § 3-403 and § 1-501, and Md. Rule 15-501, *et seq.*

16. Venue is proper in the Circuit Court for Dorchester County because at least one defendant resides and/or “carries on a regular business” in Dorchester County. CJ § 6-201(a). EL § 12-202(b) sets venue in the “appropriate circuit court,” and CJ § 6-201(b) provides that when “there is more than one defendant, and there is no single venue applicable to all defendants” under CJ § 6-201(a), then all defendants “may be sued in a county in which any one of them could be sued.” Because there is no single venue applicable to all Defendants here, venue is proper in this Court in Dorchester County, where Defendant Dorchester County carries on its regular business and where Defendant Jackson-Stanley resides in Dorchester County. Upon information and belief, meetings of the State Board are conducted remotely via videoconference and Defendant Jackson-Stanley regularly conducts the business of the State Board remotely in Dorchester County.¹

LEGAL AND FACTUAL BACKGROUND

Constitutional Amendment Process and Statutory Requirements

17. The Maryland Constitution and Maryland Election Law Article establish the procedural and substantive requirements for constitutional amendments proposed by the General Assembly and for the ballot question language to present voters with those proposed amendments.

¹ See *Draft Minutes of June 25, 2026 Meeting*, MD. STATE BD. OF ELECTIONS, at 1, <https://mdsbe.app.box.com/s/ly67mqf875239kr4otek9phuueqzxw3r/file/2358936781404> (last visited Aug. 8, 2026) (indicating meeting conducted “via conference call”); *Video of June 25, 2026 Meeting*, MD. STATE BD. OF ELECTIONS, https://elections.maryland.gov/about/board_archive.html (last visited Aug. 8, 2026) (showing meeting conducted via Zoom).

18. Article XIV, § 1 of the Maryland Constitution provides that “[t]he General Assembly may propose Amendments to this Constitution; provided that each Amendment shall be embraced in a separate bill, embodying the Article or Section, as the same will stand when amended and passed by three-fifths of all the members elected to each of the two Houses, by yeas and nays, to be entered on the Journals with the proposed Amendment.”

19. That provision further states that “[t]he requirement in this section that an amendment proposed by the General Assembly shall be embraced in a separate bill shall not be construed or applied to prevent the General Assembly from . . . (1) proposing in one bill a series of amendments to the Constitution of Maryland for the general purpose of removing or correcting constitutional provisions which are obsolete, inaccurate, invalid, unconstitutional, or duplicative; or (2) embodying in a single Constitutional amendment one or more Articles of the Constitution so long as that Constitutional amendment embraces only a single subject.” CONST. art. XIV, § 1.

20. The bill proposing the amendments must be publicized “either by publishing, by order of the Governor, in at least two newspapers, in each County, where so many may be published, and where not more than one may be published, then in that newspaper, and in three newspapers published in the City of Baltimore, once a week for four weeks, or as otherwise ordered by the Governor in a manner provided by law, immediately preceding the next ensuing general election, at which the proposed amendment or amendments shall be submitted, in a form to be prescribed by the General Assembly, to the qualified voters of the State for adoption or rejection.” CONST. art. XIV, § 1.

21. EL § 7-103(b) requires questions appearing on the ballot for proposed constitutional amendments to include: “(1) a question number or letter as determined under subsection (d) of this section; (2) a brief designation of the type or source of the question; (3) a brief title in boldface

type that describes the topic, goal, or outcome of the ballot question; (4) a condensed statement describing the change in policy to be adopted in plain and clear language that: (i) a voter can easily understand; (ii) does not explain the legal mechanism providing for the policy change; and (iii) does not contain legal jargon or use double negatives or the passive voice; (5) the voting choices that the voter has; and (6) a brief statement explaining what the practical outcome of each voting choice would be.”

22. The Secretary of State must prepare and certify the information required by § 7-103(b) to the State Board “[o]n or before July 1 immediately preceding a general election.” EL § 7-103(c)(1).

23. EL § 7-105 sets forth the statutory notice requirements for ballot questions for proposed constitutional amendments.

24. Local boards must “provide notice of each question to be submitted statewide” by either “(1) specimen ballot mailed at least 1 week before any early voting period before the general election” or “(2) publication or dissemination by mass communication during the 3 weeks immediately preceding the general election at which a question will appear on the ballot.” EL § 7-105(a).

25. For proposed constitutional amendments submitted under Article XIV, that notice must “contain the information specified in § 7-103(b) of this title and a brief statement, prepared in clear and concise language, devoid of technical and legal terms to the extent practicable, summarizing the question.” EL § 7-105(b)(1).

26. The statement required by EL § 7-105(b)(1) must be “prepared by the Department of Legislative Services” and “approved by the Attorney General,” and then submitted to the State Board of Elections by the first Monday in August. EL § 7-105(b)(2)(i)–(iii). This statement is

sufficient, however, if it is “contained in an enactment by the General Assembly, and the enactment clearly specifies that the statement is to be used on the ballot.” EL § 7-105(b)(3)(i).

27. The State Board and local boards must post “in a manner widely accessible to the public” the “complete text of” the proposed constitutional amendment “for at least 90 days before the general election.” EL § 7-105(e).

28. The complete text of the ballot question must also “be posted or available for public inspection” in the offices of the State Board and local boards for 65 days prior to the general election. EL § 7-105(d)(1).

29. The State Board must certify the “content and arrangement of each ballot” at least 64 days before the general election. EL § 9-207(a)(2).

Maryland Redistricting Requirements and the Decision in *Szeliga v. Lamone*

30. The U.S. Constitution provides that “[t]he House of Representatives shall be composed of Members chosen every second Year by the People of the several States,” U.S. CONST. art. I, § 2, cl. 1, and that “[t]he Times, Places and Manner of holding Elections for . . . Representatives, shall be prescribed in each State by the Legislature thereof,” *id.* § 4, cl. 1. The United States Constitution thus leaves to state legislatures primary responsibility for the apportionment of their federal congressional districts.

31. As the Supreme Court has confirmed, “[p]rovisions in state statutes and state constitutions can provide standards and guidance for state courts to apply” when redistricting. *Rucho v. Common Cause*, 588 U.S. 684, 719 (2019).

32. Maryland’s Constitution does just that. Article III, § 4 of the Maryland Constitution requires that for both congressional and General Assembly plans, “[e]ach legislative district shall

consist of adjoining territory, be compact in form, and of substantially equal population” and that “[d]ue regard shall be given to natural boundaries and the boundaries of political subdivisions.”

33. These requirements are common traditional redistricting criteria. *See Louisiana v. Callais*, 146 S. Ct. 1131, 1156 (2026). They were added to the Maryland Constitution in 1972. *See Szeliga v. Lamone*, No. C-02-CV-21-001816, 2022 WL 2132194, *9 (Anne Arundel Cir. Ct. Mar. 25, 2022). The compactness requirement was “intended to prevent political gerrymandering,” *Matter of Legis. Districting of State*, 299 Md. 658, 687 (1984), and so was the contiguity requirement (i.e., that districts consist of “adjoining territory”), *Szeliga*, 2022 WL 2132194, at **42–43.

34. In *Szeliga*, the Circuit Court of Anne Arundel County considered several constitutional challenges to the congressional districting plan enacted in 2021. 2022 WL 2132194, at *1. The court confirmed that the requirements of Article III, § 4 apply to congressional districts, and not only General Assembly districts. *Id.* at *11.

35. The court concluded that the 2021 congressional plan violated the compactness and “due regard” to “political subdivisions” requirements of Article III, § 4. *Id.* at *45–46.

36. The court also held that the 2021 congressional plan violated several provisions of the Maryland Declaration of Rights, including its Equal Protection requirements in Article 24, Free Elections clause in Article 7, and the Free Speech clause in Article 40 of the Declaration of Rights. *Id.* at 46. The court further held that the 2021 plan was unconstitutional “with respect to the evaluation of the 2021 Plan through the lens of the Constitution and Declaration of Rights,” and was “an outlier and a product of extreme partisan gerrymandering.” *Id.* at *45–46.

The General Assembly's Efforts to Amend the Constitution

37. On July 7, 2026, Democratic lawmakers and Governor Wes Moore announced that the General Assembly would convene in special session on August 3, 2026 to consider legislation placing a redistricting-related constitutional amendment before voters at the November 3, 2026 general election.

38. On July 17, 2026, Governor Moore issued a proclamation convening the General Assembly in an Extraordinary Session commencing on August 3, 2026. *See* Exhibit A, Executive Order 01.01.2026.14. According to the proclamation, the purpose of the Extraordinary Session was to “pass[] legislation to amend the State constitution to clarify and reaffirm that the provisions which govern the requirements of our State legislative districts do not apply to Maryland’s congressional districts.” *Id.* (capitalization omitted).

39. The General Assembly convened in a special session on August 3, 2026.

40. House Bill 2100 (“HB2100”) was first considered by the House on August 3, 2026. A copy of HB2100 as introduced is attached as Exhibit B.² HB2100 was amended by the House and then passed on August 4, 2026. A copy of HB2100 as amended is attached as Exhibit C.³

41. The Senate passed HB2100 on August 4, 2026. On August 5, 2026, Governor Moore signed HB2100. The proposed amendment was assigned Chapter 881. A copy of the enactment as approved by the Governor is attached as Exhibit D.⁴

42. HB2100 proposes the following amendments to the Maryland Constitution, with the new text appearing in bold small-capitalization:

² HB2100, 448th Gen. Assemb., Spec. Sess., <https://mgaleg.maryland.gov/2026RS/bills/hb/hb2100f.pdf> (as introduced by the House).

³ HB2100, 448th Gen. Assemb., Spec. Sess., <https://mgaleg.maryland.gov/2026RS/bills/hb/hb2100t.pdf> (as amended by the House on Aug. 3, 2026).

⁴ HB2100, 448th Gen. Assemb., Spec. Sess., https://mgaleg.maryland.gov/2026RS/chapters_noln/Ch_881_hb2100T.pdf (as enacted by Governor Moore).

Article III – Legislative Department

4.

Each legislative district **FOR THE ELECTION OF A MEMBER OF THE SENATE AND MEMBERS OF THE HOUSE OF DELEGATES** shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions.

62.

(A) **THE GENERAL ASSEMBLY SHALL HAVE THE POWER TO GRANT ORIGINAL JURISDICTION TO THE SUPREME COURT OF MARYLAND TO REVIEW THE CONGRESSIONAL DISTRICTING PLAN OF THE STATE.**

(B) **NOTHING IN THIS ARTICLE OR ELSEWHERE IN THIS CONSTITUTION, INCLUDING THE DECLARATION OF RIGHTS, PROVIDES APPLICABLE CRITERIA FOR THE BOUNDARIES OF A CONGRESSIONAL DISTRICTING PLAN.**

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 1 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

43. The proposed amendment therefore alters the text of Article III, § 4 by specifying that only General Assembly districts are subject to the requirements that districts must be contiguous, compact, and of “substantially equal population” and that “due regard” must be given to political subdivision and natural boundaries. Ex. C, Section 1.

44. The proposed amendment also adds a new section (Section 62) to the Maryland Constitution containing two new provisions.

45. First, the proposed amendment adds a provision that permits the General Assembly to grant to the Maryland Supreme Court original jurisdiction to review the State’s congressional plan. Ex. C, Section 1.

46. Second, the proposed amendment adds a provision purporting to make the requirements of the Maryland Constitution, “including the Declaration of Rights,” inapplicable to the State’s congressional plan. Ex. C, Section 1.

47. HB2100 provides that the proposed amendment to Section 1 “shall be submitted to the qualified voters of the State at the next general election to be held in November 2026 for adoption or rejection in accordance with Article XIV of the Maryland Constitution.” Ex. C, Section 3(a).

48. HB2100 further provides that “[a]t that general election, the vote on the proposed amendment to the Constitution shall be by ballot, and on each ballot there shall be printed the words ‘For the Constitutional Amendment’ and ‘Against the Constitutional Amendment’, as now provided by law.” Ex. C, Section 3(b)(1).

49. HB2100 then provides:

(2) ~~At that general election, a question substantially similar to the following~~ Notwithstanding any other provision of law, at that general election, the following question shall be submitted to the qualified voters of the State:

“Question ____ – Constitutional Amendment

The proposed Constitutional Amendment clarifies that certain standards in the Maryland Constitution apply only to districts used to elect members of the General Assembly; authorizes the General Assembly to grant original jurisdiction to the Supreme Court of Maryland to review the congressional districting plan of the State; and requires the criteria for boundaries of congressional districts to be determined by applicable federal laws.”.

HB2100, Section 3(b)(2).

50. As the text of Section 3(b)(2) shows, HB2100 originally included language that “[a]t that general election, a question substantially similar to the following shall be submitted to the qualified voters of the State.” See Ex. B. However, that text was stricken by an amendment to HB2100 in the House.

51. The underlined language replaced the stricken language, stating “[n]otwithstanding any other provision of law, at that general election, the following question shall be submitted to the qualified voters of the State.” See Ex. C, Section 3(b)(2).

52. This “[n]otwithstanding” language is a blatant attempt to exempt HB2100 and its proposed constitutional amendment from the requirements of EL §§ 7-103 and 7-105. Delegate Kris Fair admitted that the purpose of the “[n]otwithstanding” language is to “bypass the normal process.” *Video of House Floor Actions (8/3/2026)*, MD. GEN. ASSEMBLY, at 42:05–42:30, <https://mgaleg.maryland.gov/mgaweb/FloorActions/Media/house-71-A?year=2026RS> (last visited Aug. 8, 2026). He acknowledged that it was too late for the process required by the Election Law Article to be followed, and that the “[n]otwithstanding” language was aimed at having the amendment “simply go straight to the ballot.” *Id.* at 42:40–42:44.

53. The reason for this attempt is clear: the proposed amendment is plainly untimely, and procedurally and substantively insufficient under the Maryland Constitution, the Declaration of Rights, and the Election Law Article.

54. EL § 7-103(c)(1) requires the Secretary of State to “prepare and certify to the State Board the information required under” EL § 7-103(b) “for all statewide ballot questions” to appear on the November 3, 2026 general election ballot on or before July 1, 2026. That deadline passed over a month before the enactment of HB2100 on August 5, 2026. *See Video of House Floor Actions (8/3/2026)*, MD. GEN. ASSEMBLY, at 46:18–46:42, <https://mgaleg.maryland.gov/mgaweb/FloorActions/Media/house-71-A?year=2026RS> (last visited Aug. 8, 2026). There are no other provisions in the Election Law Article for the Secretary of State to prepare and certify the information required by EL § 7-103(b); nor did HB2100 explicitly provide for such late certification for the November 3, 2026 general election.

55. Nevertheless, on August 7, 2026, the State Board posted the proposed amendment in HB2100 to its website as “Question 3” for the November 2026 general election. A copy of the

State Board's website for proposed constitutional amendments is attached as Exhibit E.⁵ This information was not, upon information and belief, prepared and certified by the Secretary of State, and it was posted over one month after the July 1, 2026 deadline.

56. EL § 7-105(b) also required a "brief statement, prepared in clear and concise language, devoid of technical and legal terms to the extent practicable, summarizing the question" to be submitted to the State Board by August 3, 2026. No such statement was submitted to the State Board by that deadline.

57. Additionally, EL § 7-105(e) required the State Board and local boards to post the "complete text of" the proposed amendment no later than August 5, 2026. The State Board did not post the complete text of the proposed amendment in HB2100 on or before August 5, 2026.

58. Upon information and belief, the complete text of the proposed amendment was not posted until August 7, 2026, after the statutory deadline. *See* Ex. E.

59. The State's clear violation of these requirements with HB2100 are even more apparent when viewed in conjunction with the process that the State followed for the other proposed constitutional amendments that are being prepared for the November 2026 general election. *See* Ex. E. For example, upon information and belief, the Secretary of State certified the information required by EL § 7-103(b) for these other proposed amendments by the July 1, 2026 deadline. The Department of Legislative Services prepared the required summaries of the other proposed constitutional amendments, approved by the Attorney General, to the State Board on July 29, 2026, as required by EL § 7-105(b).⁶ The State Board made the text of the other ballot questions available for public comment from July 8 through July 30, 2026. *See* EL § 7-103(c)(5); Ex. E;

⁵ *Ballot Questions for the November 3, 2026 Election*, MD. STATE BD. OF ELECTIONS, https://elections.maryland.gov/elections/2026/ballot_questions.html (last visited Aug. 7, 2026).

⁶ Letter from Jodie L. Chilson, Senior Manager of Dept. of Legis. Services to Jared DeMarinis, Esq., State Admin'r of Elections (July 29, 2026), https://elections.maryland.gov/elections/2026/2026_Ballot_Question_SBE_Letter.pdf.

Elections, MD. STATE BD. OF ELECTIONS, <https://elections.maryland.gov/> (last visited Aug. 8, 2026) (“Proposed 2026 statewide and local ballot question language available for public comment . . . Jul 08–Jul 30”). The text of the other proposed amendments were posted by the State Board on its website by August 5, 2026. *See* EL § 7-105(e).

60. The State followed none of these procedures nor met any of these deadlines for HB2100.

61. The State Board must certify the ballot for the November 2026 general election by August 31, 2026. EL § 9-207(a)(2).⁷ Upon information and belief, the State Board will certify ballots containing the proposed amendment in HB2100 for the November 2026 general election, absent an injunction.

62. Plaintiffs will be irreparably harmed if the proposed constitutional amendment is placed on the November 3, 2026 ballot by being required to vote on a ballot question that is unlawful under the Maryland Constitution, Declaration of Rights, and Election Law Article.

63. Enacting HB2100 and placing the proposed constitutional amendment on the November 3, 2026 general election ballot is an act inconsistent with Article XIV, § 1 and Article 1, § 7 of the Maryland Constitution; Articles 7 and 24 of the Declaration of Rights; and EL §§ 7-103 and 7-105. *See* EL § 12-202(a)(1). “There can be no doubt that the inclusion of a” proposed constitutional amendment “on the ballot ‘may change’ the outcome of an election,” because the inclusion “creates the possibility that” the amendment may pass and be adopted, and the amendment’s “absence from the ballot assures that [it] will not.” *Cabrera v. Penate*, 439 Md. 99, 112 (2014); EL § 12-202(a)(2).

⁷ This certification of the ballot layout “may not be construed to be a certification of the ballot language required to be certified under § 7-103 of this article.” EL § 9-207(f).

64. The harm of requiring Plaintiffs to vote on a ballot question that is unlawful is irreparable because it “could not be redressed by any monetary sum, as it would undermine the integrity of the . . . election processes.” *See Ademiluyi v. Egbuonu*, 466 Md. 80, 134–35 (2019) (irreparable harm to voters from unqualified judicial candidate’s name being certified to ballot, due to risk of “a judge being elected . . . that lacked the proper qualifications”); *League of Women Voters v. Utah State Legis.*, 559 P.3d 11, 43 (Utah 2024) (injunction warranted because “Utah voters need to know now whether Amendment D . . . is valid”).

**COUNT I – VIOLATION OF MARYLAND’S CONSTITUTION AND DECLARATION
OF RIGHTS**

Declaration of Rights Art. 7 and Art. 24 & MD. CONST. Art. I, § 7 and Art. XIV, § 1

65. Plaintiffs re-allege and incorporate by reference all previous allegations.

66. Article I, § 7 of the Maryland Constitution requires that the Maryland General Assembly enact laws “necessary for the preservation of the purity of Elections.”

67. Article 7 of Maryland’s Declaration of Rights provides “[t]hat the right of the People to participate in the Legislature is the best security of liberty and the foundation of all free Government; for this purpose, elections ought to be free and frequent; and every citizen having the qualifications prescribed by the Constitution, ought to have the right of suffrage.”

68. This provision is “even more protective of rights of political participation than the provisions of the federal Constitution.” *Md. Green Party v. Md. Bd. of Elections*, 377 Md. 127, 150 (2003). The right of suffrage embodied in Article 7 is “one of, if not, the most important and ‘fundamental rights granted to Maryland citizens as members of a free society.’” *Nader for President 2004 v. Md. State Bd. of Elections*, 399 Md. 681, 686 (2007) (quotation omitted); *see also Kemp v. Owens*, 76 Md. 235, 241 (1892) (noting that “[t]he elective franchise is the highest right of the citizen, and the spirit of our institutions requires that every opportunity should be

afforded for its fair and free exercise”). Moreover, the “Free Elections Clause” in this provision “has been broadly interpreted to apply to legislation that infringes upon the right of political participation by citizens of the State.” *Szeliga*, 2022 WL 2132194, at *14.

69. Article 24 of Maryland’s Declaration of Rights guarantees that no person may be “deprived of his life, liberty or property, but by the judgment of his peers, or by the Law of the land.” The “concept of equal treatment is embodied in the due process requirement of Article 24 of the Declaration of Rights.” *Attorney General v. Waldron*, 289 Md. 683, 704–05 & n.7 (1981).

70. “[T]he Constitutional provision[] providing for voter input by amendment” in Article XIV, § 1 “as implemented by the Election Law, require[s] ‘a clear, unambiguous and understandable statement of the full and complete nature of the issues undertaken to be included in the proposition,’” and the proposed amendments “‘contents and purpose’” must be “set forth, in understandable language, ‘with the clarity and objectivity required to permit an average voter, in a meaningful manner, to exercise an intelligent choice.’” *Stop Slots MD 2008 v. State Bd. of Elections*, 424 Md. 163, 189–90 (2012) (quoting *Anne Arundel Cty. v. McDonough*, 277 Md. 271, 300 (1976)).

71. When, as here, “the ballot question is a summary of the purpose of the proposed amendment prepared” by the General Assembly, see § 7-105(b)(3), it must also “accurately and in a non-misleading manner, apprise[] the voters of the nature of the legislation upon which they are voting.” *Id.* at 191–92 (citation omitted); see also *Kelly v. Vote Know Coal., Inc.*, 331 Md. 164, 172 (1993).

72. Furthermore, “[w]hen the General Assembly submits an amendment to voters for approval, Due Process requires that adequate notice of the referendum be provided to the electorate prior to the election.” *Stop Slots MD 2008*, 424 Md. at 192 (citing *McDonough*, 277 Md. at 282).

“Thus, in determining the sufficiency of a ballot question summarizing a proposed amendment,” the court “must inquire not only whether the question itself sufficiently apprised voters of the amendment’s purpose, but, also, ‘whether or not its publication, by advertisements, prior to the election, permitted, in a meaningful manner, an intelligent decision, by an average voter.’” *Id.* at 193 (quoting *McDonough*, 277 Md. at 291–92).

73. The substance of the ballot question and the notice provided to date for the proposed amendment are insufficient under the Maryland Constitution and Declaration of Rights.

74. The summary of the proposed constitutional amendment that will appear as the ballot question states:

The proposed Constitutional Amendment clarifies that certain standards in the Maryland Constitution apply only to districts used to elect members of the General Assembly; authorizes the General Assembly to grant original jurisdiction to the Supreme Court of Maryland to review the congressional districting plan of the State; and requires the criteria for boundaries of congressional districts to be determined by applicable federal laws.

See Ex. D.

75. This summary is inaccurate, misleading, and otherwise insufficient in several ways.

76. First, the claim that the proposed amendment “clarifies that certain standards in the Maryland Constitution apply only to” General Assembly districts misstates both the operation and the scope of the proposed amendment. “Clarifies” signals continuity with existing law, but the amendments seek to repeal the application of Article III, § 4’s criteria to congressional maps and to exempt the General Assembly from the need to comply with any Constitutional or Declaration of Rights protections when enacting congressional district plans. In particular, Article III, § 4, as well as the Free Elections guarantee of Article 7 of the Maryland Declaration of Rights, the due process and equal protection guarantees of Article 24 of the Maryland Declaration of Rights, and the Free Speech guarantees of Article 40 of the Maryland Declaration of Rights have all been held

to apply to congressional districting plans in Maryland. *See Szeliga*, 2022 WL 2132194, at **11–12 (concluding that the term “legislative districts” in Article III § 4 “includes Congressional districts” and that the Free Elections Clause and Equal Protection Clause of the Maryland Declaration of Rights “implicate the use of standards contained in the Constitution in order to determine a violation of each,” such that “implementation of their provisions can be determined in reference to Article III, Section 4”); *see also id.* at *14 (holding Article 7’s free elections clause’s “pivotal goal” was “to protect the right of political participation in Congressional elections”); *id.* at **15–18, 46 (applying strict scrutiny under Article 24 to congressional redistricting, finding viable claim stated by allegations that the plan “intentionally discriminates against Plaintiffs by diluting the weight of their votes based on party affiliation and depriving them of the opportunity for full and effective participation in the election of their Congressional representatives”); *id.* at **19, 46 (applying strict scrutiny under Article 40’s free speech clause because congressional districting that dilutes voters’ influence “based upon their prior political expression . . . imposes a burden on a right or benefit, here a fundamental right”). Taken together, these provisions *require* the General Assembly to comply with Article III, § 4’s anti-gerrymandering standards and apply strict scrutiny to any congressional plans that infringe the due process, equal protection, and free speech rights of voters. And voters have further rights under the “fundamental principles of the Maryland Constitution and Declaration of Rights of popular sovereignty and avoiding extravagant and undue exercise of power by the Legislature.” *Id.* at *21.

77. Thus, the assertion that the proposed amendment only affects “certain standards in the Maryland Constitution” for congressional districts is false. *See* Ex. D, Section 3 (ballot question language). Indeed, the proposed amendment goes to extraordinary lengths to ensure that **no** criteria in the Maryland Constitution, including the Declaration of Rights, apply to congressional districts.

See id. Section 1 (“(B) NOTHING IN THIS ARTICLE OR ELSEWHERE IN THIS CONSTITUTION, INCLUDING THE DECLARATION OF RIGHTS, PROVIDES APPLICABLE CRITERIA FOR THE BOUNDARIES OF A CONGRESSIONAL DISTRICTING PLAN.”).

78. Second, the summary claims that the proposed amendment “requires” criteria for congressional districts to be “determined by applicable federal laws,” but the proposed amendment does not state what laws apply or what criteria derive from such laws. *See* Ex. D, Section 1. This is the improper substitution of confusing legal jargon for plain text prohibited by EL § 7-103(b). The amendment text, in fact, makes no reference to federal law and fails to identify any criteria, either.

79. This choice was likely deliberate. The proposed amendment seeks to repeal the requirements in Article III, § 4 that congressional districts must be compact, contiguous, and give due regard to natural boundaries and the boundaries of political subdivisions. There are no compactness, contiguity, or political subdivision requirements imposed by federal law for congressional districts,⁸ nor does federal law prohibit partisan gerrymandering. *See generally Rucho v. Common Cause*, 588 U.S. 684 (2019). The true effect of the proposed amendment to Article III, § 4 is that there will be no requirement that congressional districts be compact, contiguous, or give due regard to political subdivisions.

80. Proposed new Article III, § 62(B) is even worse. By exempting congressional districts from the requirements of the Maryland Constitution and the Declaration of Rights, the proposed amendment severely limits the criteria required for congressional redistricting plans to

⁸ Federal courts have acknowledged these requirements are permissible redistricting criteria, but not mandatory. *Callais*, 146 S. Ct. at 1156; *League of Women Voters of Chicago v. City of Chicago*, 757 F.3d 722, 726 (7th Cir. 2014); *Gaffney v. Cummings*, 412 U.S. 735, 752 n.18 (1973) (explaining that “compactness or attractiveness [of districts] has never been held to constitute an independent federal constitutional requirement”).

only the few mandated by the U.S. Constitution (the equal population requirements in Article I, § 2 and prohibitions on racial discrimination under the Fourteenth and Fifteenth Amendments). And it gives the General Assembly a breathtakingly broad exemption from any obligation to comply with the provisions of the Maryland Constitution or Declaration of Rights when configuring congressional plans—not the right to free elections (Article I, § 7 of the Maryland Constitution and Article 7 of the Maryland Declaration of Rights), not the due process and equal protection guarantees of Article 24 of the Maryland Declaration of Rights, not the free speech guarantee of Article 40 of the Maryland Declaration of Rights, and not the overall right under the Constitution and Declaration of Rights to popular sovereignty and the avoidance of extravagant and undue power by the General Assembly. But a voter would not know *a single word* of all the constitutional rights and protections they are being asked to forfeit from the text of the ballot question.

81. In reality, the General Assembly seeks to nullify the Maryland Constitution’s provisions that prevent it from engaging in partisan gerrymandering, giving itself a free pass to do exactly that. In 2022, the Anne Arundel County Circuit Court relied on the very criteria that the proposed amendment targets here—compactness, regard for political subdivisions, and the Declaration of Rights—to strike down the 2021 congressional plan and find it was “an outlier and a product of extreme partisan gerrymandering.” *Szeliga*, 2022 WL 2132194, at *45. By repealing the application of those provisions to congressional districts, the General Assembly is attempting to insulate a future congressional plan from allegations of partisan gerrymandering. It is clear that, in response to plans drawn by Republicans across the country, the State’s intent is to pass a new congressional plan that “overhauls” the State’s “lone Republican district,”⁹ and is “designed to

⁹ Bryan P. Spears, *Moore’s redistricting commission recommends ‘congressional map concept’*, MD. MATTERS (Jan. 21, 2026), <https://marylandmatters.org/2026/01/21/moores-redistricting-commission-recommends-congressional-map-concept/>.

allow the party to control all eight of Maryland’s congressional districts.”¹⁰ *See Governor Moore Statement on Maryland’s Passage of Redistricting Amendment Ensuring Elections Remain in the Hands of Marylanders*, OFFICE OF GOVERNOR WES MOORE (Aug. 4, 2026), <https://governor.maryland.gov/news/press-releases/governor-moore-statement-marylands-passage-redistricting-amendment-ensuring-elections-remain>.

82. The ballot question is inaccurate and misleading and does not “apprise[] the voters of the true nature of the legislation upon which they are voting.” *Stop Slots MD 2008*, 424 Md. at 192.

83. The ballot question for the proposed amendment therefore violates Article XIV, § 1. *See id.* at 189 (explaining that “the Constitutional provision[] providing for voter input by amendment . . . require[s] ‘a clear, unambiguous and understandable statement of the full and complete nature of the issues undertaken to be included in the proposition’”). Because the proposed amendment does not satisfy the requirements of Article XIV, § 1, it has not qualified for the ballot. *See* EL § 7-102(a)(3) (providing that “[a]n amendment to the Constitution qualifies upon its passage by the General Assembly pursuant to Article XIV, § 1 of the Maryland Constitution.”).

84. These deficiencies in the substance of the ballot question are compounded by the deficiencies in the notice given to the public. “When the General Assembly submits an amendment to voters for approval, Due Process requires that adequate notice of the [amendment] be provided to the electorate prior to the election.” *Stop Slots MD 2008*, 424 Md. at 192.

¹⁰ Jane C. Timm, *Maryland House passes new congressional map, setting up a showdown with the state Senate*, NBC NEWS (Feb. 2, 2026), <https://www.nbcnews.com/politics/2026-election/maryland-house-passes-new-congressional-map-state-senate-rcna257030>.

85. Underlying the notice inquiry here is the “notice prescribed by the statutory scheme and the well-settled principles of Due Process of Law.” *Id.* (citing *Ulman v. Baltimore*, 72 Md. 587, 593 (1890)).

86. HB2100 was rushed through the legislative process, well after the statutory deadlines for certification and publication of ballot questions for the November 2026 general election. The General Assembly passed the bill in just two days and suspended applicable rules governing hearings and readings to accelerate its passage. See HB 2100, *Election Districts - General Assembly and Representatives in Congress*, MD. GEN. ASSEMBLY, <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB2100?ys=2026RS> (last visited Aug. 8, 2026) (“History . . . 8/03/2026 Motion Rules Suspend Two Readings Same Day” and “8/04/2026 Motion Rules Suspend Two Readings Same Day”). By virtue of the timing of HB2100’s passage, it does not comply with the statutory notice requirements and deadlines for certification of the ballot question language, EL § 7-103(c)(1), for the brief statement of the case, EL § 7-105(b)(2)(iii), nor for the posting of the constitutional text, EL § 7-105(e).

87. The State Board has also failed to make the ballot question information available to the public for a 15-day comment period, thus depriving the public of the opportunity to provide important feedback on the ballot question and making it impossible for the Secretary of State to “make any necessary changes to the question” based on those comments and submit the certified text to the State Board. EL § 7-103(c)(5). By virtue of this language, the ballot question was fixed on the date of enactment, making any subsequent notice-and-comment process, even if one was undertaken (which it was not), pointless as the Secretary would be unable to make changes in response to any public comments received.

88. Because it was too late to meet these statutorily-mandated deadlines, the General Assembly has attempted to exempt HB2100 from their requirements. *See* Ex. C, Section 3(b)(2) (“Notwithstanding any other provision of law, at that general election, the following question shall be submitted to the qualified voters of the State”); *Video of House Floor Actions (8/3/2026)*, MD. GEN. ASSEMBLY, at 42:05–53:27, <https://mgaleg.maryland.gov/mgawebwebsite/FloorActions/Media/house-71-A?year=2026RS> (last visited Aug. 8, 2026).

89. The requirements in EL §§ 7-103 and 7-105 exist for good reason. They “implement[]” the “Constitutional provisions providing for voter input by amendment,” *Stop Slots MD 2008*, 424 Md. at 189, and set the notice that is required for due process. *Id.* at 189–90, 192. Those statutory deadlines have lapsed and the necessary notice cannot be reconstructed before the November 2026 general election.

90. Plaintiffs’ due process rights are therefore violated by both the deficiencies in the substance of the ballot and in the lack of adequate notice provided to the public prior to the election, as they do not “permit[], in a meaningful manner, an intelligent decision, by an average voter, when he exercise[s] his choice, in voting either ‘FOR’ or ‘AGAINST’” the ballot question. *McDonough*, 277 Md. at 291–92.

91. These procedural and substantive deficiencies also violate Plaintiffs’ right to vote and the Free Elections Clause in Article 7 of the Declaration of Rights. *See id.* at 307 (holding that “the failure of the ballot question to present a clear, unambiguous and understandable statement of the full and complete nature of the issues included” in the ballot question “coupled with” deficient advertisements of the question “constituted a ‘deviation from the prescribed forms of the law (and) had so vital an influence as probably to have prevented a free and full expression of the popular will.’”) (citations omitted).

92. Plaintiffs' rights are also violated by the General Assembly's attempt to exempt HB2100 from the statutory requirements of the Election Law.

93. Retrospective statutes are those "acts which operate on transactions which have occurred or rights and obligations which existed before passage of the act." *Langston v. Riffe*, 359 Md. 396, 406 (2000). Legislation that retroactively abrogates vested rights violates Article 24 of the Declaration of Rights. *Muskin v. State Dep't of Assessments & Taxation*, 422 Md. 544, 557 (2011).

94. HB2100's Section 3(b)(2) is clearly retrospective under Maryland's definition of that term. HB2100 missed the July 1, 2026 deadline for the Secretary of State to prepare and certify the ballot question information and the August 3, 2026 deadline for the brief statement summarizing the ballot question. The proposed amendment also was not posted within the deadline. Instead of complying with the deadlines as proscribed, based on the General Assembly's alleged "prerogative" to do so, HB2100 purports to eviscerate them by retroactively making them inapplicable.

95. Moreover, the Election Law Article "implements" the requirements of Maryland Constitution and establishes the notice that must be provided to the public. *Stop Slots MD* 2008, 424 Md. at 189. HB2100 retroactively abrogates the vested rights of Plaintiffs to adequate notice of proposed constitutional amendments by exempting HB2100 from those requirements.

96. The Maryland Constitution and Declaration of Rights guarantee free and fair elections for voters and protect voters' due process rights. The Constitution also requires the General Assembly to "pass Laws necessary for the preservation of the purity of Elections." CONST. art. I, § 7. These provisions are violated when elected officials selectively apply statutory election

requirements and attempt to make them applicable only when convenient or politically advantageous.

97. Plaintiffs are entitled to a declaration that the ballot question information and lack of notice provided for HB2100's proposed amendment violate Article I, § 7 and Article XIV, § 1 of the Maryland Constitution and Articles 7 and 24 of the Declaration of Rights.

98. Plaintiffs are likewise entitled to injunctive relief prohibiting Defendants from certifying, printing, or distributing the proposed amendment in HB2100 on the ballot for the November 2026 general election, from conducting the November 2026 general election with the proposed amendment in HB2100 on the ballot, and from canvassing or certifying the results of the November 2026 general election with the proposed amendment in HB2100 on the ballot.

99. Plaintiffs have no adequate remedy at law other than the declaratory and injunctive relief requested herein.

**COUNT II – VIOLATION OF ELECTION LAW ARTICLE
EL § 7-103 and § 7-105**

100. Plaintiffs re-allege and incorporate by reference all previous allegations.

101. HB2100 also violates EL § 7-103 and EL § 7-105 in numerous ways.

102. EL § 7-103(c)(1) required the Secretary of State to “prepare and certify to the State Board the information required under” EL § 7-103(b) “for all statewide ballot questions” on or before July 1, 2026. HB2100 and its proposed amendment were not passed by the General Assembly and signed by the Governor until August 5, 2026. Therefore, the Secretary of State could not and did not prepare and certify the required information for HB2100's ballot question by July 1, 2026. This failure violates EL § 7-103(c)(1).

103. The information that the State Board has posted on its website relating to HB2100's ballot question as of the date of this filing does not meet the requirements of EL § 7-103(b).

Specifically, the ballot question language does not include “a brief statement explaining what the practical outcome of each voting choice would be.” EL § 7-103(b)(6). This omission violates EL § 7-103(b). And the omission is intentional, as a truthful statement of the “practical outcome” of voting FOR the proposed amendment in HB2100 would be to strip voters of numerous constitutional protections in connection with congressional redistricting.

104. The “brief statement, prepared in clear and concise language, devoid of technical and legal terms to the extent practicable, summarizing the question” required by EL § 7-105(b)(1) was not submitted to the State Board by the August 3, 2026 deadline. EL § 7-105(b)(2)(iii). This failure violates EL § 7-105(b).

105. The condensed statement that was untimely provided also violates EL § 7-103(b)(4) in multiple ways, including without limitation that the ballot question statement:

- a. is festooned with legal jargon and vague, passive-voice language about the effect, which is not reasonably understandable by a voter, in violation of EL § 7-103(b)(4)(i) & (iii);
- b. claims the amendment proposed by HB2100 “clarifies” that Article III, § 4’s standards apply only to General Assembly districts and not congressional districts, and thereby obscures that it is *changing* the text of the constitution to remove congressional boundaries from its scope and not merely “clarifying” language that already exists, and further fails to identify specifically what standards are being changed (instead claiming “certain standards” without specificity), violating §§ 7-103(b)(4)(i) & (iii);
- c. claims the amendment “requires the criteria” for congressional district boundaries to “be determined by applicable federal laws,” which is both false

and is stated in the passive voice and with legal jargon that is not understandable to voters, violating §§ 7-103(b)(4)(i) & (iii); and

- d. improperly uses legal jargon or legal mechanisms in the summary to describe the grant of original jurisdiction to the Maryland Supreme Court to “review the congressional districting plan of the state,” in violation of §§ 7-103(b)(4)(i)–(iii).

106. The State Board and county boards also failed to post the complete text of the proposed amendment in HB2100 on or before August 5, 2026. EL § 7-105(e). This failure violates EL § 7-105(e).

107. Nor did the State Board “make the information submitted in accordance with” EL § 7-103(c) for HB2100’s proposed amendment “available to the public for a 15-day comment period.” EL § 7-103(c)(5)(i). Instead of the standard 15-day comment period, the proposed amendment was made available for public comment via a six-hour legislative hearing held open to a mere fifty members of the public on the same day the final amendment language was proposed. *See Video of House Floor Actions (8/3/2026)*, MD. GEN. ASSEMBLY, at 43:10–28, 55:30–57:05, <https://mgaleg.maryland.gov/mgaweb/FloorActions/Media/house-71-A?year=2026RS> (last visited Aug. 8, 2026) (acknowledging the General Assembly was bypassing “15-days of public comment” and instead holding a public hearing “for the last six hours” that was limited to 50 people). This failure violates EL § 7-103(c).

108. Plaintiffs are entitled to a declaration that the ballot question information and notice provided for HB2100’s proposed amendment violate EL § 7-103 and EL § 7-105.

109. Plaintiffs are likewise entitled to injunctive relief prohibiting Defendants from certifying, printing, or distributing the proposed amendment in HB2100 on the ballot for the

November 2026 general election, from conducting the November 2026 general election with the proposed amendment in HB2100 on the ballot, and from canvassing or certifying the results of the November 2026 general election with the proposed amendment in HB2100 on the ballot.

110. Plaintiffs have no adequate remedy at law other than the declaratory and injunctive relief requested herein.

**COUNT III – VIOLATION OF MARYLAND’S SINGLE-SUBJECT REQUIREMENT
Md. CONST. Art. XIV, § 1**

111. Plaintiffs re-allege and incorporate by reference all previous allegations.

112. Article XIV, § 1 of the Maryland Constitution states that “[t]he General Assembly may propose Amendments to this Constitution; provided that each Amendment shall be embraced in a separate bill, embodying the Article or Section, as the same will stand when amended and passed by three-fifths of all the members elected to each of the two Houses, by yeas and nays, to be entered on the Journals with the proposed Amendment.”

113. Article XIV, § 1 further provides that the requirement that a proposed amendment be “embraced in a separate bill” does not prevent the General Assembly from “embodying in a single Constitutional amendment one or more Articles of the Constitution so long as that Constitutional amendment embraces only a single subject.”

114. This single-subject requirement “is intended to require a single amendment to deal with a single subject which may be ratified or rejected by a single vote.” *Andrews v. Governor of Maryland*, 294 Md. 285, 296–97 (1982). “If the proposed changes deal with different or dissimilar subjects and seek to reach different objectives which require amendment, then the legislature must submit these proposals to the electorate so as to allow the electors to vote upon each separately.” *Id.* at 297.

115. Single-subject requirements are intended to “prevent[] the pernicious practice of ‘logrolling’ in the submission of a constitutional amendment.” *Id.* at 292 (collecting cases). “Logrolling occurs when two or more propositions essentially dissimilar in subject matter are submitted to the electorate in one amendment so that the voter may cast one expression of his vote answer on the measure as a whole.” *Id.* A legislature is guilty of logrolling when it proposes an amendment with propositions “related to more than one subject and ha[ving] at least two distinct and separate purposes not dependent upon or connected with each other,” *id.*, so as to “make it impossible for the voters to express their will as to each,” *id.* at 296 (citing *Baum v. Newbry*, 267 P.2d 220, 223 (Or. 1954)).

116. Single-subject requirements are also intended to prohibit proposed amendments that are misleading to the public. *See Andrews*, 294 Md. at 295 (citing *In re Initiative Petition No. 314*, 625 P.2d 595, 603 (Ok. 1982)); *see also Fugina v. Donovan*, 104 N.W.2d 911, 914 (Minn. 1960) (in addition to preventing logrolling, goal of single-subject requirement is “to prevent imposition upon or deceit of the public by the presentation of a proposal which is misleading or the effect of which is concealed or not readily understandable”).

117. Thus, a proposed amendment cannot stand when it is both misleading to the public and “logrolls” unrelated proposals into one. *Andrews*, 294 Md. at 295; *In re Initiative Petition No. 314*, 625 P.2d at 603; *Fugina*, 104 N.W.2d at 914.

118. HB2100’s proposed amendment violates Article XIV, § 1’s single-subject requirement because it is both misleading and combines multiple propositions relating to different subjects that could stand on their own into one amendment.

119. HB2100 contains three amendments. First, the existing text of Article III, § 4 is altered to state that only General Assembly districts are subject to the requirements that districts

must be contiguous, compact, and of “substantially equal population” and that “due regard” must be given to political subdivision and natural boundaries. Ex. D, Section 1.

120. Second, in a new section titled § 62, the proposed amendment adds a provision that allows the General Assembly to grant to the Maryland Supreme Court original jurisdiction to review the state’s congressional plan. *Id.*

121. Third, another provision is added to § 62 to make the requirements of the Maryland Constitution, “including the Declaration of Rights” inapplicable to the state’s congressional plan. *Id.*

122. These are “three distinct propositions contained therein, no two of which are necessarily required for a proper operation of the third.” *Kerby v. Luhrs*, 36 P.2d 549, 554 (Ariz. 1934). The amendment limiting the criteria for General Assembly districts could be separately proposed from the amendment stating that the criteria do not apply to congressional districts, and neither amendment is necessary to the amendment providing original jurisdiction over congressional districts to the Maryland Supreme Court. All three provisions are independent of each other and could stand alone.

123. Furthermore, a Maryland voter could support limiting the constitutional requirements of Article III, § 4 to only state legislative districts but still want the Declaration of Rights and constitutional requirements to apply to congressional districts. Or a voter could support Supreme Court original jurisdiction for congressional redistricting but disapprove of limiting the constitutional requirements to only state legislative districts. Accordingly, HB2100’s proposed amendment seems to be an attempt to “constrain[] [voters] to adopt measures of which in reality they disapprove, in order to secure the enactment of others they earnestly desire” in violation of

the single-subject requirement. *Andrews*, 294 Md. at 301 (citing *Mundell v. Swedlund*, 71 P.2d 434, 443–44 (Idaho 1937)).

124. At a minimum, the proposed amendment relates to the two separate subjects of “redistricting criteria” and “jurisdiction,” or to the subjects of “General Assembly redistricting” and “congressional redistricting.” Thus, they should be presented separately.

125. The combination of these amendments into one proposal was not done “to make obvious possible hidden side effects and to promote public awareness.” *Id.* at 297.

126. Quite the opposite, the proposed amendment is misleading to the public and hides its true effects.

127. Because the proposed amendment is both misleading to the public and “logrolls” unrelated proposals into one, they violate the single-subject requirement of Article XIV, § 1. *Id.* at 295; *In re Initiative Petition No. 314*, 625 P.2d at 603; *Fugina*, 104 N.W.2d at 914.

128. Plaintiffs are entitled to a declaration that the proposed amendment violates Article XIV, § 1.

129. Plaintiffs are likewise entitled to injunctive relief preventing Defendants from certifying, printing, or distributing the proposed amendment in HB2100 on the ballot for the November 2026 general election, from conducting the November 2026 general election with the proposed amendment in HB2100 on the ballot, and from canvassing or certifying the results of the November 2026 general election with the proposed amendment in HB2100 on the ballot.

130. Plaintiffs have no adequate remedy at law other than the declaratory and injunctive relief requested herein.

REQUEST FOR EXPEDITED CONSIDERATION

131. Because this action concerns the composition of the November 3, 2026 general election ballot, Plaintiffs respectfully request that the Court hear and decide this matter as expeditiously as the circumstances require, consistent with EL § 12-203(a)(1).

REQUEST FOR RELIEF

WHEREFORE, for the foregoing reasons, Plaintiffs request relief as follows:

- a. A declaration that the ballot question and notice provided for the proposed constitutional amendment in HB2100 violates the rights of Plaintiffs under Articles 7 and 24 of Maryland's Declaration of Rights, and violates Article XIV, § 1 and Article I, § 7 of the Maryland Constitution;
- b. A declaration that the proposed amendment violates Article XIV, § 1 of the Maryland Constitution;
- c. A declaration that the ballot question information and notice provided for the proposed amendment in HB2100 violates EL § 7-103 and EL § 7-105;
- d. An injunction preliminarily prohibiting Defendants from certifying, printing, or distributing the proposed amendment in HB2100 on the ballot for the November 2026 general election, from conducting the November 2026 general election with the proposed amendment in HB2100 on the ballot, and from canvassing or certifying the results of the November 2026 general election with the proposed amendment in HB2100 on the ballot;
- e. An injunction permanently prohibiting Defendants from certifying, printing, or distributing the proposed amendment in HB2100 on the ballot for the November 2026 general election, from conducting the November 2026 general election with the

- proposed amendment in HB2100 on the ballot, and from canvassing or certifying the results of the November 2026 general election with the proposed amendment in HB2100 on the ballot;
- f. In the event ballots have already been printed or votes have already been cast on the proposed amendment at the time of any hearing or ruling in this matter, order such further or alternative relief as may be necessary to prevent certification or canvassing of the results of the vote on the proposed amendment, including severance of the proposed amendment question from certification of the remainder of the November 3, 2026, general election;
 - g. Costs; and
 - h. Any other and further relief to which Plaintiffs are entitled at law or in equity.

Respectfully submitted,

Dated: August 10, 2026

/s/ Strider L. Dickson

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