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Ways and Means Committee

Education Subcommittee

Finance Resources Subcommittee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

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HB140 Election Law- Petitions and Ballot Questions- Plain Language Requirement

Dear Chairwoman Kaiser and Members of the Ways and Means Committee,

Thank you for your consideration of HB140 which would require petitions and ballot questions to be written in plain language as defined in federal guidelines. Voter accessibility and the full participation in the political process is guaranteed by the Americans with Disabilities Act and more specifically by the Voting Rights of 1965 which states that voting access cannot be denied due to educational level.

Unfortunately, 43% of literate adults read at basic or below basic levels that may make comprehension of petitions and ballot questions extremely challenging. Thirty-five percent of Marylanders have completed 12 or fewer years of education and yet the Casino Lockbox ballot question on the 2018 ballot was written at a reading comprehension level for individuals with 30 years of U.S. formal education. The problems with this are obvious – voters may be confused with complex language and skip or miscast their votes. They may also be much more likely to be influenced by special interests if they cannot easily understand the question themselves. A ten year analysis of ballots by the University of Utah determined that voters routinely skip questions when the titles and summaries were difficult to read. This could be avoided with the passage of HB 140.

Sixteen other states specify that language must be easy to understand. Pennsylvania specifically requires “plain language”. Alaska specifies a “readability” score for ballot language and uses an objective formula for the determination of plain language. There are currently no regulations in Maryland that specifically establish a grade level or education level at which ballot measures must be written. The Center for Civic Design recommends ballot language at a sixth- grade level.

I am proposing a clarifying amendment that would require the State Board of Elections and the Secretary of State to use the federal plain language guidelines (plainlanguage.com) when reviewing ballot measures.

I request a favorable vote on HB 140 to increase voter accessibility and access to all of our citizens.