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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**SB495: Simplified Ballot Language**

Education, Energy, & the Environment Committee

February 21, 2024: 1:00 PM

Writing ballot measures that everyone can understand will allow our constituents to vote more confidently. Complex language can be confusing for many voters, resulting in miscast votes, skipped questions, and disproportionate influence of special interests. Of the 26 states<sup>1</sup> that have ballot questions, referendums, or initiatives, 21 require that their language must be easy to understand.

On our 2022 ballots, many of the questions voters faced were incomprehensible without additional legal education. Take Question #2, for instance:

*“Adds to the eligibility requirements to serve as a senator or a delegate to the Maryland General Assembly by requiring a person to have maintained a primary place of abode in the district that the person has been chosen to represent. Under current law, a person must have resided in the district to which the person has been elected for at least six months immediately preceding the date of the person's election or, if the district has been established for less than six months prior to the date of election, as long as the district has been established. The new law requires, beginning January 1, 2024, a person must have both resided in and maintained a primary place of abode in the district for the same time periods as under current law.”*

Our drafters can write in a manner that can be easily understood. Ballot Question #4 from 2022 is a great example of a well-written question:

*“Do you favor the legalization of the use of cannabis by an individual who is at least 21 years of age on or after July 1, 2023, in the State of Maryland?”*

To solve this issue and establish conformity in our ballot language, [SB495](#) would require ballot measures to be written at a sixth-grade level, as determined by the Federal Plain Writing Act of 2010.<sup>2</sup> Democracy is enhanced when people clearly understand the issues requiring their vote and will help address the voting drop-off we see on ballot questions. This is not a hypothetical:

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<sup>1</sup> AK, AZ, AR, CA, CO, FL, ID, IL, MA, ME, MD, MI, MO, MS, MT, NE, NM, NV, ND, OH, OK, OR, SD, UT, WA, and WY.

<sup>2</sup> <https://www.plainlanguage.gov/>

State Board of Elections 2022 data indicated that nearly 400,000 voters declined to answer important ballot questions although they participated higher on the ballot (2,005,223 voters helped elect our Governor, while only 1,590,187 votes were cast for the lowest performing Ballot Question). Simplifying our language will help them be more confident in the exercise of their franchise.

This bill ([SB56](#)) was passed unanimously by the Senate in 2020.

**I urge a favorable report for SB495.**