

SENATE BILL 493

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1999 Regular Session
9r2162
CF 9r1503

By: **Senators Jacobs, Blount, Hollinger, Collins, Dyson, Harris, Lawlah,
McCabe, McFadden, Sfikas, and Hooper**

Introduced and read first time: February 5, 1999
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Ballot Questions - Plain English**

3 FOR the purpose of requiring that each question that appears on the ballot be written
4 in plain English; defining a certain term; requiring certain persons to prepare a
5 summary of a ballot question using plain English in certain circumstances; and
6 generally relating to the use of plain English in all ballot questions.

7 BY repealing and reenacting, with amendments,
8 Article 33 - Election Code
9 Section 7-104
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 1998 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 33 - Election Code**

15 7-104.

16 (A) IN THIS SECTION, "PLAIN ENGLISH" MEANS LANGUAGE THAT CAN BE
17 INTERPRETED BY A PERSON WHO HAS NO MORE THAN AN EIGHTH GRADE LEVEL OF
18 PROFICIENCY IN ENGLISH.

19 [(a)] (B) Each question shall appear on the ballot containing the following
20 information:

21 (1) A question number or letter as determined under subsection (c) of
22 this section;

23 (2) A brief designation of the type or source of the question;

24 (3) A brief descriptive title in boldface type;

25 (4) A condensed statement of the purpose of the question; and

1 (5) The voting choices that the voter will have.

2 [(b)] (C) (1) The Secretary of State shall certify to the State Board the
3 information required under subsection (a) of this section, for all statewide ballot
4 questions and all questions relating to an enactment of the General Assembly which
5 is petitioned to referendum.

6 (2) Each question to be voted on in a single county or part of a county,
7 except a question relating to an enactment of the General Assembly which has been
8 petitioned to referendum, shall be prepared as required under subsection (a) of this
9 section, by the county attorney of the county unless some other process is mandated
10 by law.

11 [(c)] (D) (1) Each statewide question shall be assigned a numerical
12 identifier in the following order:

13 (i) By years of sessions of the General Assembly at which enacted;
14 and

15 (ii) For each such session, by chapter numbers of the Session Laws
16 of that session.

17 (2) Questions certified by the local governing authority shall be assigned
18 an alphabetical identifier in an order established by the local governing authority,
19 consistent with and following the questions certified by the State Board.

20 (E) (1) THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS
21 SECTION CONCERNING A QUESTION THAT APPEARS ON THE BALLOT SHALL BE
22 WRITTEN IN PLAIN ENGLISH AND:

23 (I) USE STRAIGHTFORWARD LANGUAGE;

24 (II) AVOID TECHNICAL TERMS TO THE EXTENT PRACTICABLE; AND

25 (III) USE A COHERENT AND EASILY READABLE STYLE.

26 (2) IF THE PERSON AUTHORIZED TO PREPARE THE QUESTION
27 DETERMINES THAT, BECAUSE OF THE TECHNICAL NATURE OF THE ISSUE THAT IS
28 THE SUBJECT OF THE QUESTION, IT IS NOT FEASIBLE TO DRAFT THE QUESTION IN
29 PLAIN ENGLISH, THAT PERSON SHALL:

30 (I) PREPARE AN INFORMATIONAL SUMMARY OF THE QUESTION IN
31 PLAIN ENGLISH; AND

32 (II) MAKE THE SUMMARY WIDELY AVAILABLE TO THE PUBLIC.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1999.