

Chapter 439

(Senate Bill 29)

AN ACT concerning

Election Law – Petitions and Ballot Questions – Contents, Plain Language Requirement, and Procedures

FOR the purpose of altering the information that is required to be included on the signature page of a petition seeking to place a question on the ballot and with a question on the ballot; requiring that a certain summary included on the signature page of a petition seeking to place a question on the ballot and a certain statement about a question on the ballot be written in plain language; altering the deadline by which ballot questions must be prepared and certified; requiring the State Board of Elections to make certain information regarding a ballot question available for a public comment period; requiring the State Board and each applicable local board of elections to post certain information relating to certain ballot questions for at least a certain period of time before the general election; and generally relating to petitions and ballot questions.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 6–103(b), 6–201(c) and (d), 7–103(b) and (c), 7–105, and 9–207

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 6–201(a)

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

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

Article – Election Law

6–103.

(b) (1) The State Board shall:

(i) prepare guidelines and instructions relating to the petition process; and

(ii) design and arrange to have sample forms available to the public conforming to this title for each purpose for which a petition is authorized by law.

(2) WHEN PREPARING GUIDELINES AND INSTRUCTIONS FOR COMPLIANCE WITH THE PLAIN LANGUAGE REQUIREMENT OF § 6-201(C)(2)(II) OF THIS TITLE, THE STATE BOARD SHALL:

(I) CONSIDER ANY GENERALLY ACCEPTED GUIDELINES REGARDING COMPLIANCE WITH THE FEDERAL PLAIN WRITING ACT OF 2010; AND

(II) PROHIBIT THE USE OF THE PASSIVE VOICE, LEGAL JARGON, AND DOUBLE NEGATIVES.

(3) The guidelines, instructions, and forms shall be provided to the public, on request, without charge.

6-201.

(a) A petition shall contain:

(1) an information page; and

(2) signature pages containing not less than the total number of signatures required by law to be filed.

(c) Each signature page shall contain:

(1) a description of the subject and purpose of the petition, conforming to the requirements of regulations;

(2) if the petition seeks to place a question on the ballot[, either]:

(i) **A BRIEF TITLE THAT DESCRIBES THE TOPIC, GOAL, OR OUTCOME OF THE BALLOT QUESTION;**

(II) 1. a fair and accurate summary of the substantive provisions of the proposal **WRITTEN IN PLAIN, CLEAR LANGUAGE THAT:**

A. A VOTER CAN EASILY UNDERSTAND;

B. DOES NOT EXPLAIN THE LEGAL MECHANISM PROVIDING FOR THE POLICY CHANGE; AND

C. DOES NOT CONTAIN LEGAL JARGON OR USE DOUBLE NEGATIVES OR THE PASSIVE VOICE; or

[(ii)] 2. the full text of the proposal; AND

(III) A BRIEF STATEMENT EXPLAINING WHAT THE PRACTICAL OUTCOME OF EACH VOTING CHOICE WOULD BE;

(3) a statement, to which each signer subscribes, that:

(i) the signer supports the purpose of that petition process; and

(ii) based on the signer's information and belief, the signer is a registered voter in the county specified on the page and is eligible to have his or her signature counted;

(4) spaces for signatures and the required information relating to the signers;

(5) a space for the name of the county in which each of the signers of that page is a registered voter;

(6) a space for the required affidavit made and executed by the circulator; and

(7) any other information required by regulation.

(d) If the petition seeks to place a question on the ballot and the sponsor elects to print a summary of the proposal on each signature page as provided in subsection [(c)(2)(i)] **(C)(2)(II)1** of this section:

(1) the circulator shall have the full text of the proposal present at the time and place that each signature is affixed to the page; and

(2) the signature page shall state that the full text is available from the circulator.

7-103.

(b) Each question shall appear on the ballot containing the following information:

(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 [descriptive] title in boldface type **THAT DESCRIBES THE TOPIC, GOAL, OR OUTCOME OF THE BALLOT QUESTION;**

(4) a condensed statement [of the purpose of the question] **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; [and]

(5) the voting choices that the voter has; **AND**

(6) A BRIEF STATEMENT EXPLAINING WHAT THE PRACTICAL OUTCOME OF EACH VOTING CHOICE WOULD BE.

(c) (1) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A GENERAL ELECTION, THE** Secretary of State shall prepare and certify to the State Board[, not later than the 95th day before the general election,] the information required under subsection (b) of this section, for all statewide ballot questions and all questions relating to an enactment of the General Assembly which is petitioned to referendum.

(2) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A GENERAL ELECTION, THE** State Board shall prepare and certify to the appropriate local board[, not later than the 105th day before the general election,] the information required under subsection (b) of this section for all questions that have been referred to the voters of one county or part of one county pursuant to an enactment of the General Assembly.

(3) (i) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A GENERAL ELECTION, THE** county attorney of the appropriate county shall prepare and certify to the State Board[, not later than the 95th day before the general election,] the information required under subsection (b) of this section for each question to be voted on in a single county or part of a county, except a question covered by paragraph (1) or paragraph (2) of this subsection.

(ii) If the information required under subsection (b) of this section has not been timely certified under subparagraph (i) of this paragraph, the clerk of the circuit court for the jurisdiction shall prepare and certify that information to the State Board not later than the first Friday in August.

(4) (i) **[The] ON OR BEFORE JULY 1 IMMEDIATELY PRECEDING A GENERAL ELECTION, THE** municipal attorney of the appropriate municipal corporation shall prepare and certify to the State Board[, not later than the 95th day before the general election,] the information required under subsection (b) of this section for each question to

be voted on in the municipal corporation, except a question covered by paragraphs (1) through (3) of this subsection.

(ii) If the information required under subsection (b) of this section has not been timely certified under subparagraph (i) of this paragraph, the clerk of the circuit court for the county in which the municipal corporation is located shall prepare and certify that information to the State Board not later than the first Friday in August.

(5) (I) THE STATE BOARD SHALL MAKE THE INFORMATION SUBMITTED IN ACCORDANCE WITH THIS SUBSECTION AVAILABLE TO THE PUBLIC FOR A 15-DAY COMMENT PERIOD.

(II) ON OR BEFORE THE FOURTH DAY IMMEDIATELY FOLLOWING THE END OF THE COMMENT PERIOD REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE PERSON REQUIRED TO PREPARE A QUESTION UNDER PARAGRAPH (1), (2), (3), OR (4) OF THIS SUBSECTION SHALL:

1. REVIEW THE COMMENTS RECEIVED DURING THE COMMENT PERIOD AND MAKE ANY NECESSARY CHANGES TO THE QUESTION; AND

2. SUBMIT THE CERTIFIED PLAIN TEXT OF THE QUESTION TO THE STATE BOARD FOR PUBLICATION ON ITS WEBSITE UNDER § 9-207 OF THIS ARTICLE.

(6) The information required under subsection (b) of this section for a question that is being placed on the ballot by petition may be prepared before the petition is certified under § 6-208 of this article.

7-105.

(a) A local board shall provide notice of each question to be submitted statewide and each question to be submitted to the voters of the county, by:

(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.

(b) (1) For any question submitted under Article XIV or Article XVI of the Maryland Constitution, the notice required by subsection (a) of this section shall 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.

(2) The statement required under paragraph (1) of this subsection shall be:

- (i) prepared by the Department of Legislative Services;
- (ii) approved by the Attorney General; and
- (iii) submitted to the State Board by the first Monday in August.

(3) The statement required under paragraph (1) of this subsection is sufficient if it is:

- (i) contained in an enactment by the General Assembly, and the enactment clearly specifies that the statement is to be used on the ballot; or
- (ii) consistent with some other process mandated by the Maryland Constitution.

(c) The State Board shall adopt regulations governing notice of questions to appear on the ballot, including the use and content of specimen ballots and the publication or dissemination of notice by mass communication.

(d) (1) The complete text of a question shall be posted or available for public inspection in the office of the State Board and each applicable local board for 65 days prior to the general election.

(2) Copies of the complete text of all statewide questions shall be furnished by the State Board to the local boards in quantities as determined by the State Board, including quantities sufficient to provide one copy of each for posting in each polling place and in each local board office.

(3) An individual may receive without charge a copy of the complete text of all constitutional amendments and questions from a local board, either in person, by mail, or electronically.

(E) THE STATE BOARD AND EACH APPLICABLE LOCAL BOARD SHALL POST IN A MANNER WIDELY ACCESSIBLE TO THE PUBLIC FOR AT LEAST 90 DAYS BEFORE THE GENERAL ELECTION:

(1) THE COMPLETE TEXT OF:

(I) FOR A QUESTION RELATING TO THE CREATION OR ADOPTION OF A NEW CONSTITUTION, THE PROPOSED CONSTITUTION;

(II) FOR AN AMENDMENT UNDER ARTICLE XIV OF THE MARYLAND CONSTITUTION, THE PROPOSED AMENDMENT TO THE MARYLAND CONSTITUTION;

(III) FOR AN ENACTMENT OF THE GENERAL ASSEMBLY REFERRED IN ACCORDANCE WITH ARTICLE XVI OF THE MARYLAND CONSTITUTION, THE ENACTMENT;

(IV) FOR A PROPOSED COUNTY CHARTER OR AMENDMENT TO A COUNTY CHARTER UNDER ARTICLE XI-A OF THE MARYLAND CONSTITUTION:

- 1. THE PROPOSED CHARTER; OR**
- 2. THE PROPOSED AMENDMENT TO A COUNTY CHARTER;**

(V) FOR AN ENACTMENT OF THE GENERAL ASSEMBLY REFERRING A QUESTION TO THE VOTERS, THE ENACTMENT; AND

(VI) FOR A CHARTER COUNTY ENACTMENT IN ACCORDANCE WITH § 9-205 OF THE LOCAL GOVERNMENT ARTICLE OR A CODE COUNTY ENACTMENT IN ACCORDANCE WITH §§ 9-310 THROUGH 9-313 OF THE LOCAL GOVERNMENT ARTICLE, THE PROPOSED ENACTMENT; AND

(2) FOR EACH QUESTION POSTED UNDER ITEM (1)(II), (III), (IV), (V), OR (VI) OF THIS SUBSECTION, A LINK TO THE GENERAL ASSEMBLY OR COUNTY WEBPAGE FOR THE APPLICABLE LEGISLATION.

9-207.

(a) The State Board shall certify and publicly display the content and arrangement of each ballot:

- (1) for a primary election, at least 64 days before the election;
- (2) for a general election, at least 64 days before the election;
- (3) for a special primary election, at least 55 days before the election; and
- (4) for a special general election, not later than a date specified in the Governor's proclamation.

(b) The Supreme Court of Maryland, on petition of the State Board, may establish a later date in extraordinary circumstances.

(c) The State Board shall publicly display the content and arrangement of each certified ballot on its website.

(d) Except pursuant to a court order under § 9–209 of this subtitle, or as provided in § 9–208 of this subtitle, the content and arrangement of the ballot may not be modified after the second day of the public display.

(e) Unless a delay is required by court order, the State Board may begin to print the ballots after certification and 3 days of public display and correct any noted errors.

(F) THE CERTIFICATION OF A BALLOT UNDER THIS SECTION THAT INCLUDES A QUESTION MAY NOT BE CONSTRUED TO BE A CERTIFICATION OF THE BALLOT LANGUAGE REQUIRED TO BE INCLUDED ON THE BALLOT UNDER § 7–103 OF THIS ARTICLE, INCLUDING THE PLAIN LANGUAGE CONDENSED STATEMENT REQUIRED UNDER § 7–103(B)(4) OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2026.

Approved by the Governor, May 12, 2026.