

## EDUCATION, ENERGY, AND ENVIROMENT COMMITTEE

February 10, 2023

SB 89 – Elections – Ballot Questions – Publication of Proposed Laws

**Position: SUPPORT WITH AMENDMENTS**

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the Protection & Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities through voting by advocating for equal and equitable access to the ballot.

DRM supports SB 89 which will require the State and local Board of Elections to publish the enactment language of a ballot question at least 65 days prior to a general election. As part of our voting program, we often refer voters to the State Board of Elections to access the sample question for a preview of what they will see prior to voting. However, the sample ballot and real ballot language of ballot petitions and questions are often very complex and hard to understand. Voters often have a hard time completely understanding what will happen if they vote for or against a particular ballot petition. It can be hard to understand what will change in public policy as a result of their vote as ballot questions can be vague and only describe the outcome of an enactment in a few words or in complex legalistic language that doesn't completely capture the context of the petition or the impact it will have in our communities.

For example, during the 2021 legislative session, SB 786 which transitions the control of the Baltimore Police Department to the control of Baltimore City after a referendum to voters. It appeared on the 2022 general election ballot in Baltimore City as Question H which vaguely asked “Question H is for the purpose of establishing a Baltimore City Police Department, the head of which is the Police Commissioner.<sup>1</sup>”. Having the proper context of SB 786 could allow voters to have complete context of the ballot petition and make an informed decision.

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<sup>1</sup> [Official 2022 Election Results \(maryland.gov\)](https://www.maryland.gov/elections/2022/election-results)

<sup>1</sup> <https://www.md-council.org/wp-content/uploads/2022/02/Voting-Fact-Sheet.pdf>



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Meaningful access to the ballot should ensure voters understand what they will be voting on.

Supplying voters with the language of the enactment of each ballot petition provides transparency and clarity to a voter to make an informed decision about the society they live in.

This would be a positive measure for voters with disabilities, who often rely on sample ballots to practice filling out their ballots prior to election day. SB 89 will provide them additional context to the ballot questions they will encounter and engage in critical thinking and decision making for the benefit of their lives and communities. To that end, we recommend there be an amendment for the enactment language SB 89 provides be in plain language to aid in easier comprehension of all voters.

For these reasons and with this amendment we urge a **favorable** report on SB 89. Please do not hesitate to contact me at [samuelaa@disabilityrightsmd.org](mailto:samuelaa@disabilityrightsmd.org), or by phone at 443-692-2512

<sup>1</sup><https://www.md-council.org/wp-content/uploads/2022/02/Voting-Fact-Sheet.pdf>