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THE SENATE OF MARYLAND
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SB615: Simplified Ballot Language

Senate Education, Energy, and the Environment Committee
Wednesday, February 26, 2025 1:00 PM

According to [2022 Census Bureau](#) data, nearly 10% of Maryland adults aged 25 and older do not have a high school diploma or equivalent. Despite this, Maryland's ballot questions often use technical language that may be difficult to understand without a law degree. Consider Question #2 from 2022, 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."

If this question were written simply, it might look like this:

Do you support requiring candidates for the Maryland General Assembly to both live in and maintain their primary home in the district they wish to represent for at least six months before the election (or as long as the district has existed, if it was established less than six months ago)?

In contrast, some ballot questions have used clear, straightforward language. Ballot Question #4 from 2022 and Ballot Question #2 from 2020 are good examples:

"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?"

"Do you approve the expansion of commercial gaming in the State of Maryland to authorize sports and events betting for the primary purpose of raising revenue for education?"

When people do not understand the issues requiring their vote, they decline to answer the questions entirely. [State Board of Elections \(SBE\) 2022](#) data indicated that nearly 400,000 voters remained silent on ballot questions despite having completed previous portions of the ballot (2,005,223 voters helped elect our Governor, while only 1,590,187 votes were cast for the

lowest performing Ballot Measure). Our democracy will be strengthened by requiring our ballot language to be easily comprehensible to all.

While the Department of Legislative Services produces a [summary document](#) to translate and explain the ballot questions, voters shouldn't need more information to confidently cast an informed ballot.

Last July, the Governor [signed an Executive Order](#) mandating that State agencies use "plain language." Just as state services require clear language, so should ballots. SB615 aligns with the Moore/Miller Administration's focus on making government more accessible.

[SB56 \(2020\)](#) and [SB495 \(2024\)](#) were introduced to reduce the complexity of our ballot language; both passed the Senate but failed to advance in the House. This year, I updated the legislation with the same goal in mind. Drawing from all twenty-three states¹ with similar laws, the revised bill is influenced by California, Hawaii, Idaho, Mississippi, New Jersey, and North Dakota. Some states set grade-level requirements (AK, NY, RI) or word limits (FL, LA, MI, OR, NY, VA), but these restrictions can be overly limiting and may not always capture the intent of a ballot referendum.

[SB615](#) would require that all ballot measures include the following:

- A brief title that describes the topic, goal, or outcome of the ballot question;
- A statement that describes the change in policy without focusing on the legal mechanism. It must be written in plain, straightforward language that voters can easily understand, avoiding legal jargon, double negatives, and passive voice; and
- A brief statement of what a "yes" or "no" vote would mean that identifies the practical outcome of each choice.

There have been concerns whether this bill's language could supersede legislatively-mandated ballot language. SB615 does not override legislatively mandated ballot language; official legislative wording may be used with the addition of a plain language statement.

Ballot language must be submitted not later than July 1 of an election year, followed by a 15-day comment period. This timetable, according to SBE, will allow for any modifications or litigation before the ballot is finalized.

SBE and LBEs must publish the full text of proposed Constitutional Amendments at least 65 days before a General Election, along with links to relevant legislative webpages.

I urge a favorable report on SB615.

¹ The twenty-three other states are AL, AK, CA, CO, FL, HI, ID, LA, ME, MI, MS, MT, ND, NJ, NY, OK, OR, PA, RI, SC, TN, TX, & VA