

DRM Testimony - Support - SB 615 Plain Language Re

Uploaded by: Braden Stinar

Position: FAV

SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE

February 26, 2025

**SB 615 – Election Law – Petitions and Ballot Questions – Contents,
Plain Language Requirement, and Procedures**

Position: SUPPORT

Disability Rights Maryland (DRM) 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 access to the ballot box.

DRM supports Senate Bill 615, which would require ballot questions and initiatives to feature a plain language explanation of the proposed question and a practical explanation of the impact of each voting choice. Research indicates that voters often have a limited attention span when engaging with ballot language, which can impact their ability to fully comprehend its content.¹ Easier to understand language is more likely to be supported, while language that is challenging to comprehend is more likely to be opposed or abstained from selecting. Through providing a plain language description of the question being put forth, voters will feel more empowered and confident in their decisions throughout the selection process

An analysis conducted by Ballotpedia in 2023 found that ballot measures required a graduate school reading level to understand.² This not only presents a challenge for the average voter but is especially concerning for individuals with intellectual disabilities or those experiencing cognitive impairment due to chronic illness. Senate Bill 615 intends to bring Maryland in line with the Federal Plain Writing Act of 2010, which would require ballot language to be easily understood by a person with an 8th grade reading level. This bill recognizes the barriers that arise due to the confusing and legalistic nature of ballot questions or initiatives and will provide voters with

¹<https://www.thecampaignworkshop.com/blog/ballot-initiatives-and-ballot-measures/ballot-language>

² <https://www.motherjones.com/politics/2024/06/plain-language-ballot-measures-disability/>

a plain language explanation to ensure they can make informed selections. By providing voters with a deeper understanding of the decisions they are tasked to make, this bill will strengthen the democratic process across the state.

For these reasons, we urge a favorable report on SB 615. We are able, should the State Board of Elections need technical assistance, guidance or resources in providing support with the establishment of the proposed guidelines.

Respectfully submitted,

Braden Stinar, Esq.
Attorney
Disability Rights Maryland

SB 615 - Election Law – Petitions and Ballot Quest

Uploaded by: Morgan Drayton

Position: FAV

February 26, 2025

Testimony on SB 615
Election Law – Petitions and Ballot Questions – Contents, Plain Language Requirement, and
Procedures
Education, Energy, and the Environment

Position: Favorable

Common Cause Maryland is in support of SB 615, which would require that all ballot questions and petitions be written in plain language – in other words, written in a way that they could be reasonably understood by a voter regardless of their level of education. Voting should be accessible to all eligible citizens, and that necessitates breaking down any intellectual barriers to voting in elections.

Regardless of the intent, ballot measures and petition language that are hard to understand represent a big problem in our elections. Too often we see voters leaving the polling booth unsure of how they voted on a question, or having skipped over certain questions altogether because they just couldn't be sure what they were being asked. It is important that voters are conscious and informed about the decisions they are making at the ballot box. It is also important that voters don't feel left out of policymaking by unclear or intimidating ballot language.

Our current petition and ballot measure language still favors the college-educated, who represent a minority of the U.S. population. According to data from the Census Bureau, only 31% of people 25 or older have a bachelor's degree or higher education level. Specifically, in the state of Maryland only 47% of people are college educated. This means that at least 53% of people are in jeopardy of not being able to understand what is written in a ballot question.

While the ability to comprehend the complicated language used in petitions and ballot measures is becoming more widespread, it still does not reflect the education level of the average voter.

This bill is not meant to question the intelligence of Marylanders, this bill simply acknowledges the realities of the educational make-up of our state and country and makes necessary accommodations. We believe that measures should be taken to make voting on petitions and ballot measures more equitable for everyone. SB 615 would make voting more accessible, and for that reason we urge a favorable report.

SB615 Election Law - Petitions and Ballot Question

Uploaded by: Nikki Tyree

Position: FAV



**TESTIMONY TO THE SENATE EDUCATION, ENERGY, AND ENVIRONMENT
COMMITTEE**

**SB 615 Election Law – Petitions and Ballot Questions – Contents, Plain
Language Requirement, and Procedures**

POSITION – Favorable

BY: Linda T. Kohn, President

Date: February 26, 2025

The League of Women Voters of Maryland believes that elections should be feasible to implement, increase voter participation, and be equitable and accessible.

SB 816 is a necessary and long overdue bill that would require all petitions and ballot questions to be posted and written to voters in plain language. It would also limit how the questions can be written so as not to use specific techniques that could be confusing to the reader. Furthermore, it would require that voters be told what the outcome of voting a certain way would mean.

Too often, LWVMD has been called upon to answer the most common question: What is this ballot question saying, and what will it do? In 2022, there was a ballot initiative on Howard County's Orphan Court. Not only did the questions, as written, confuse voters, but LWVMD was inundated with people who did not understand how voting yes or no would actually impact Howard County. Had SB 615 been law at that time, voters would have been given clear and concise language around what a vote yes or a vote no would mean for people in Howard County.

In every election, voters go to the polls and skip voting on ballot questions because they do not understand them or fear that if they do vote on them, they will vote "wrong." Some voters do their best to read the question and vote but then are dismayed to learn after the fact what their vote actually means. SB 615 would prevent this confusion.

LWVMD would ask that the State Board of Elections be provided with a reasonable budget to publicize this new initiative and alert Maryland voters that it is now available.

LWVMD urges a favorable report on SB 615.

SB615.DDCouncil. Support.pdf

Uploaded by: Rachel London

Position: FAV



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

Senate Education, Energy, and the Environment Committee

SB 615: Election Law - Petitions and Ballot Questions – Contents, Plain Language Requirement,
and Procedures

February 26, 2025

Position: Support

The Maryland Developmental Disabilities Council (Council) is an independent public policy organization that creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. Our vision is that people with and without disabilities in Maryland live, learn, work, and play together.

WHAT does this legislation do?

- SB 615 makes changes to the way that petitions for new ballot questions and questions on a ballot are written. It requires that they are written in plain language, contains a brief summary of the practical outcome and prohibits the use of passive voice, legal jargon, and double negatives.
- Plain language is a way of writing so that all people can understand information the first time they read it.

WHY is this legislation important?

- This bill makes voting more accessible for people with disabilities. Voting is a fundamental right for Marylanders with developmental disabilities, but they face barriers. The U.S. Election Commission found that 20% of voters with disabilities face difficulties with voting, compared to 6% of voters without disabilities. But these difficulties can be eliminated.
- Writing ballot petitions and questions in plain language benefits everyone. Many ballot questions can be confusing for people with and without disabilities to understand. Using plain language makes it easier for all voters. When one group is served more effectively, all voters are able to vote more effectively. Everyone deserves to a smooth voting process so they can exercise their right to vote during every election cycle

While investments in voting equity are without question needed, including for people with disabilities, the Council believes that the amount, purpose, and timing of such efforts must take into consideration the needs of all Marylanders with disabilities. Funding for this bill should not be offset by limiting essential funding for other critical needs, most immediately the Developmental Disabilities Administration community services that thousands of Marylanders depend upon.

Contact: Dr. Stephanie Dolamore, Deputy Director, sdolamore@md-council.org

Testimony in support of SB0615 - Election Law - Pe

Uploaded by: Richard KAP Kaplowitz

Position: FAV

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0615- POSITION: FAVORABLE

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

TO: Chair Atterbeary, Vice Chair Wilkins, and members of the Education, Energy and the Environment Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0615, **Election Law - Petitions and Ballot Questions - Contents, Plain Language Requirement, and Procedures**

This bill is a recognition of problems that exist with the language sometimes employed on petitions and ballot questions. The Journal of Political Science has studied some of the problems on this language and found that: ¹

Voters with limited English language proficiency are protected by the Voting Rights Act, but some argue that existing provisions may not be enough in the face of complex ballot language. ... We find that those who scored lower on English-language ability tests were less able to vote in a manner consistent with their previously stated issue positions when faced with even simple ballot wording in English, and that they were more willing to cast potentially erroneous ballots when confronted with complex ballot language than those with high English proficiency.

The Center for Civic Design has concluded: ²

Ballot questions are an important and empowering part of our democracy. But when voters can't understand these questions, they are more likely to skip them and miss a chance to cast their vote, or misunderstand the question and [vote against their own intent](#). Voters are also [less likely to cast votes](#) on the rest of the ballot after a confusingly worded question. Finally, voters tell us that when they experience problems like this, they lose confidence that their vote makes a difference.

¹ <https://digitalcommons.coastal.edu/jops/vol49/iss1/2/>

² <https://civicdesign.org/ballot-questions-are-hard-to-understand-here-are-6-ways-to-fix-them/>

The Center has “...identified four of the most common ways ballot questions are consistently misleading or confusing. For each of these problems, we’ve identified concrete solutions legislatures can use to make ballot questions easier to understand.”³

This bill agrees with the Centers and Journal conclusions and works to implement specific suggested solutions. It will accomplish this goal by 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. It will then require 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. Finally, it will make this occur on a timely basis by altering the deadline by which ballot questions must be prepared and certified.

I respectfully urge this committee to return a favorable report on SB#/0615.

³ Ibid

Testimony - Simplified Ballot Language 2025 SB615.

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN
Legislative District 17
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Vice Chair
Education, Energy, and
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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