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THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

SB615: Simplified Ballot Language

House Ways & Means Committee
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When voters are confused by the language of a ballot measure, they often skip those questions entirely. According to [State Board of Elections \(SBE\) data](#), more than 2 million votes were cast for Governor in 2022, yet over 400,000 voters chose not to weigh in on the lowest-performing ballot measure.

Too often, Maryland's ballot questions use technical language that may be difficult to understand without a law degree. Consider Question #2 from 2022:

"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."

In contrast, some measures have used clear, straightforward language. Ballot Question #4 from 2022 and Question #2 from 2020 are excellent 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?"

While the Department of Legislative Services produces a [summary document](#) to explain referenda, voters shouldn't need more information to confidently complete their ballot.

According to research from the Center for Civic Design, a Maryland-based nonprofit that works with numerous states to improve the voter experience, voters "find ballot questions confusing and difficult to read. They have opinions on these questions, but they struggle to understand what they say and how to vote. They worry that the questions are deliberately written to be hard to understand, and report that they make it hard to decide how to mark their ballot. In

other words, the experience of direct democracy can erode trust if people feel that the text is intended to trick them, not invite their participation.”

Last July, the Governor [signed an Executive Order](#) mandating that State agencies use “communication methods that are easy to use and understand.” Just as State services require plain language, so should ballots. SB615 aligns with the Moore/Miller Administration’s focus on making government more accessible.

Previous versions addressing this problem passed the Senate ([SB56 in 2020](#) and [SB495 in 2024](#)) but failed to advance in the House. To strengthen this year’s proposal, we analyzed laws in all 23 states¹ with similar measures and sought input from national experts and fellow legislators. 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 make it difficult to capture the intent of a ballot measure. Instead, this bill reflects language from California, Hawaii, Idaho, Mississippi, New Jersey, and North Dakota.

[SB615](#) would require that all ballot questions include:

- A brief title that describes the topic, goal, or outcome of the measure;
- A statement that describes the change in policy written in straightforward language that voters can easily understand, without focusing on the legal mechanism (concretely prohibiting legal jargon, double negatives, and passive voice); and,
- A brief statement of the meaning of a “yes” or “no” vote, identifying the practical outcome of each choice.

As originally introduced, SB615 specifically exempted legislatively mandated ballot language. The State Administrator of Elections and Committee Counsel advised the Senate Education, Energy, and the Environment Committee that this was already covered in law; the amended version removed that duplicative language.

This bill also requires that ballot language be submitted not later than July 1 of an election year, followed by a 15-day comment period. According to the SBE, this timeline will allow for any modifications or litigation before the ballot is finalized. SBE must also publish the full text of proposed Constitutional Amendments at least 90 days (amended from 60 days) before a General Election, with links to relevant legislative webpages.

SB615 passed the Senate unanimously.

Our democracy will be strengthened with ballot language that is easily comprehensible to all. According to the Center for Civic Design, “with plain language, voters were able to vote more quickly and accurately and were more likely to complete the entire ballot.”

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