



Testimony for the House Ways and Means Committee

March 25, 2025

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

FAVORABLE

ZOE GINSBERG
LEGAL FELLOW

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

3600 CLIPPER MILL ROAD
SUITE 200
BALTIMORE, MD 21211
T/410-889-8555
F/410-366-7838

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS
COREY STOTTLEMYER
PRESIDENT

DANA VICKERS SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

The ACLU of Maryland supports SB 615, which would promote accessible voting and ensure that all voters can understand the outcome of their chosen preferences.

Ballot measures and petition language are often drafted in ways that elude easy understanding. All too often, drafters rely on legal jargon or convoluted sentences. This style of writing makes it difficult for everyday Marylanders to understand exactly what they are voting on. Complicated writing makes it hard for voters to unpack the potential outcomes and consequences of a measure or petition, meaning voters are left to guess at the meaning of a particular measure and then cast an unsure vote or skip the question altogether. Ballot measures are a critical way for members of our communities make their voices heard, and voters have just a few short minutes in the voting booth to decide which side of an issue they support. As such, we should create a system that makes sure that *all* Marylanders can truly make their preferences heard.

Our current system disproportionately favors those with extensive education, even though only 42.7% of Marylanders have a bachelor's degree.¹ These burdens fall more heavily on communities of color who, in part to systemic educational disparities, possess advanced degrees at even lower rates. Only 33.4% of Black Marylanders have at least a bachelor's degree and only 25.4% of Latine Marylanders have at least a bachelor's degree. Our current system also makes voting harder for those with disabilities and those experiencing other cognitive impairments. By relying on complicated, inaccessible language, these measures disadvantage many members of our communities. SB 615 provides an accommodation that will address that disadvantage.

¹ HD Pulse, *Social, Economic, & Cultural Environment: Maryland Education*, National Institute on Minority Health and Health Disparities (Mar. 20, 2025), https://hdpulse.nimhd.nih.gov/data-portal/social/table?socialtopic=020&socialtopic_options=social_6&demo=00006&demo_options=education_3&race=00&race_options=race_7&sex=0&sex_options=sex_3&age=081&age_options=age25_1&statefips=24&statefips_options=area_states

If passed, SB 615 would require that petitions and ballot questions consider guidelines included in the federal Plain Writing Act of 2010 and be written in language that voters can easily understand. Additionally, petitions and ballot questions would be required to use rhetorical structures that simplify the content of a particular measure. By including brief titles describing the goal of a change and a statement explaining the practical outcome of a voting choice, proponents of measures would better prepare voters to make informed choices in the few minutes they have at the ballot box. Further, by creating a notice and comment period, SB 615 creates a mechanism for ensuring that voters have the opportunity to weigh in on the clarity of a particular measure. By inviting feedback from those who spend less time immersed in the legalistic writing of the Legislature, this bill takes crucial steps towards ensuring a more informed voting public and election outcomes that better reflect the actual preferences of Marylanders.

By passing this bill, we can make sure that ballot petitions and questions are written in plain language. This change would benefit everyone while taking into account the specific needs of those who feel alienated from the political system. For these reasons, we urge a favorable report on SB 615.