

SB29
Election Law - Petitions and Ballot Questions -
Contents, Plain Language Requirement, and Procedures

Testimony of Joel Hurewitz
Columbia, MD
Government, Labor, and Elections Committee
Hearing Date April 1, 2026

Position: Favorable with Amendments

SB29 is a positive step to give plain language to the voters for ballot questions; however several issues appear to have been left unaddressed by this legislation.

Ironically, while SB29 seeks to have plain language as part of the petitions and ballot questions, Lines 22-25 on Page 7 are less than plain or clear. First, without looking up the cited code citations, it is not clear that this provision is about a **referendum** of a local enactment. Second, charter and code counties are inexplicably lumped together. Lastly, other than § 9-313 what is the relevance of the enactment of public local laws in §§ 9-310 to 9-312 to a referendum in code counties?

The existing requirements of Election Law § 7-105(d) appear to be augmented regarding scope and time by the new subsection 7-105(e). Thus, what is the purpose of retaining the language of § 7-105(d) especially the requirement that “[t]he complete text of a question shall be posted or available for public inspection in the office of the State Board and each applicable local board for 65 days prior to the general election” when § 7-105(e) requires the posting to be 90 days before the election?

In addition, to § 7-105(d) there are other time deadlines for questions in the existing State Code that might need to be adjusted. Interestingly, the State Board of Elections (SBE) did not provide any testimony on the bill in the Senate.

The provisions which could either be supplanted by SB29 or be difficult for the SBE to complete in the specified time periods include:

1. Election Law § 7-105(b)(2)(iii) in SB29 on Line 16, Page 6: “submitted to the State Board by the first Monday in August.,” this deadline leaves only two days to meet the 90 day posting requirement;
2. Election Law § 7-104(b): “A petition relating to a question arising under Article XI–A of the Maryland Constitution shall be filed with the appropriate governmental body or officer not later than the 99th day before the general election at which the question is to be voted on;” and
3. Local Government § 9-205(b)(2): “The initial notice of a referendum vote shall be given at least 30 days before the election” which is 60 days after the 90 day posting required by SB29.