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TESTIMONY ON HB#/0044- POSITION: FAVORABLE

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

TO: Chair Wells, Vice Chair Kerr, and members of the Government, Labor and Elections 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 HB#/0044, **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 HB#/0044.

³ Ibid