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HOUSE WAYS AND MEANS COMMITTEE

HB 0140: Election Law–Petitions and Ballot Questions – Plain Language Requirement

January 29, 2020 1:00 p.m.

Position: Support

As the designated Protection and Advocacy organization for Maryland and by authority of the Help America Vote Act, Disability Rights Maryland (DRM), formerly Maryland Disability Law Center, is charged with assisting persons with disabilities to participate fully in the electoral process. Pursuant to this mandate, DRM seeks to ensure election access to a wide range of individuals with disabilities, including, but not limited to, individuals with physical, cognitive, and sensory disabilities.

DRM supports HB 140 which would require 1) the signature page of a petition to place a question on a ballot have a summary written in plain language and 2) plain language be required on the condensed statement related to a question appearing on a ballot. Maryland's statewide ballot measures are among the nation's most difficult to comprehend. According a 2011 study,ⁱ by political scientists Shauna Reilly and Sean Richey, the mean level of education an individual would need to understand a Maryland ballot measure from 1997 to 2007 is 20 years of education, approximately equivalent to a Ph.D. Ballot and petition language has been inaccessible to the vast majority of Marylanders for too long. Plain language petitions and ballot measures will benefit all Marylanders including individuals with cognitive disabilities, sensory disabilities, and those with low reading literacy. The Journal of Usability Studies found that voters are more accurate and prefer ballots with plain languageⁱⁱ. The current language used on petitions and ballots are a barrier to full participation in the electoral process to voter with and without disabilities.

Maryland should bring its petitions and ballot language requirements in line with the federal government's Plain Writing Act of 2010 which requires federal agencies to communicate using language that the public can understand and use. The federal government uses plain language so individuals can understand what they read or hear the first time it is presented, similar to the conditions most voters face with petitions and ballot measures. HB 140 will assist persons with disabilities to participate fully in the electoral process by helping voters make more accurate better informed decisions on matters that directly impact them.

Thank you for your consideration of these comments.

For more information contact:

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ⁱ Reilly, Shauna, and Sean Richey. "Ballot Question Readability and Roll-off: The Impact of Language Complexity." *Political Research Quarterly* 64, 1. (2011): 59-67.

ⁱⁱ Reddish, G., Chisnell, D., Laskowski, S., & Lowry, S. (2010). Plain Language Makes a Difference When People Vote. *Journal of Usability Studies* , 5(3), 81–103.