

Wolf, Lynn

From: Roers, Kristin
Sent: Monday, March 27, 2023 11:51 AM
To: Wolf, Lynn
Subject: FW: Answers to your questions on SB 2163 (Plain Language)
Attachments: Plain Language Laws Summary.pdf



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Subject: Answers to your questions on SB 2163 (Plain Language)

Greetings Chair Roers & Members of the Senate State & Local Government Committee,

Thank you for your time and attention today regarding SB 2163. I certainly appreciate your consideration. I would like to provide some additional information in response to questions from the committee.

Currently, 16 states have plain language laws on the books in some form. Most of these laws have to do with explaining ballot measures.

Of these 16 states that have plain language laws, seven (7) allow for citizen-initiated measures in some form and five (5) states allow for citizen-initiated measures that can change the state constitution.

Of states with plain language laws, I believe Montana is the most similar to North Dakota as a neighbor that has a plain language law and that allows citizen-initiated constitutional measures. That said Montana may serve as a model on the issue of plain language. [Please see Montana Code 13-27-312.](#)

Please see the attached document for further background information. The intent of this bill is to create informed voters and looking at other states we know this can be done.

Thank you and I'm happy to discuss this bill further or provide more information.

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Plain Language Laws Summary

Provided by [Michael Blaise, Assistant Professor of Law Seattle University](#)

Alabama	Ala. Code § 17-6-81(b)(4)–(c) (2020) (summary and ballot statements)
Alaska	Alaska Stat. Ann. § 15.80.005 (West 2010) (ballot and pamphlet must have minimum readability score of 60)
Arkansas	153.00 Ark. Code R. § 1-XI (LexisNexis 2017) (handbook for candidates)
California	Cal. Elec. Code § 2053(b)(8) (West 2017) (election materials); Cal. Elec. Code § 2700(b)(9) (West 2021) (same); Cal. Elec. Code § 13218(b) (West 2020) (members of ballot design committee must have experience with plain language); Cal. Elec. Code § 2600 (West 2017) (election committee members must have experience with plain language)
Connecticut	Conn. Gen. Stat. Ann. § 9-139a(c) (West 2019) (absentee ballot instructions)
Florida	Fla. Stat. Ann. § 101.161(1) (West 2020) (ballot summary of constitutional amendment or public measure)
Maine	29-250-520 Me. Code R. § 1 (LexisNexis 2006) (public comments on ballot measure for publication in election guide)
Montana	Mont. Code Ann. § 13-27-312(4) (West 2021) (ballot statements)
New Jersey	N.J. Rev. Stat. § 19:3-6 (2013) (public questions)
New York	N.Y. Elec. Law § 4-108(d) (McKinney 2019) (abstract of proposed constitutional amendment, proposition, or question)
Oklahoma	Okla. Stat. Ann. tit. 34, § 9 (West 1992) (ballot title of voter petition)
Pennsylvania	25 Pa. Stat. and Cons. Stat Ann. § 2621.1 (West 1986) (Attorney General explanation of proposed state constitutional amendment or statewide ballot measure)
South Carolina	S.C. Code Ann. § 7-13-2110 (2020) (explanation of state constitutional amendments)
Tennessee	Tenn. Code Ann. § 2-5-208(f)(2) (West 2016) (summary of lengthy ballot question or state constitutional amendment)
Virginia	Va. Code Ann. § 15.2-1702(B) (West 2000) (explanation on vote to create county police force); Va. Code Ann. § 24.2-687 (West 2011) (explanation on local referendums); Va. Code Ann. § 30-19.9 (West 2001) (explanation of proposed constitutional amendment); Va. Code Ann. § 30-19.10 (West 2021) (explanation or fiscal impact statement on non-constitutional statewide referendum)
Wisconsin	Wis. Admin. Code Eth § 1.96 (2020) (source of campaign communication financing)

Citizen Initiated Measures Summary

Retrieved from [https://ballotpedia.org/States with initiative or referendum](https://ballotpedia.org/States_with_initiative_or_referendum)

Chart of powers in each state

The chart below lists the 26 states with the power of initiative or referendum, shows what powers—[initiated statute](#), [initiated amendment](#), [veto referendum](#), or some combination—are available to the people in that state. It also shows the signature requirement for each type of measure as of the 2023/2024 election cycle. The chart does not differentiate between different types of initiated statute or initiated amendment, such as between [direct](#) or [indirect](#) initiatives. Read details about the process in each state by clicking the links in the chart.

State	Constitutional	Signatures	Statute	Signatures	Referendum	Signatures
Alaska	✗	N/A	✓	26,705	✓	26,705
Arizona	✓	383,923	✓	255,949	✓	127,975
Arkansas	✓	90,704	✓	72,563	✓	54,422
California	✓	874,641	✓	546,651	✓	546,651
Colorado	✓	124,238	✓	124,238	✓	124,238
Florida	✓	891,589	✗	N/A	✗	N/A
Idaho	✗	N/A	✓	60,371	✓	60,371
Illinois	✓	328,371	✗	N/A	✗	N/A
Maine	✗	N/A	✓	67,682	✓	67,682
Maryland	✗	N/A	✗	N/A	✓	60,157
Massachusetts	✓	74,490	✓	74,490	✓	37,245 ^[3]
Michigan	✓	446,198	✓	356,958	✓	223,099
Mississippi ^[4]	✓	106,190	✗	N/A	✗	N/A
Missouri	✓	171,592 ^[5]	✓	107,246 ^[5]	✓	107,246 ^[5]
Montana	✓	60,359	✓	30,179	✓	30,179
Nebraska	✓	126,838	✓	88,787	✓	63,419 ^[6]
New Mexico	✗	N/A	✗	N/A	✓	71,475 ^[7]
Nevada	✓	102,362	✓	135,561	✓	102,362
North Dakota	✓	31,164	✓	15,582	✓	15,582
Ohio	✓	413,488	✓	124,046 ^[8]	✓	248,093
Oklahoma	✓	172,993	✓	92,263	✓	57,664
Oregon	✓	156,231	✓	117,173	✓	78,115
South Dakota	✓	35,017	✓	17,509	✓	17,509
Utah	✗	N/A	✓	137,802	✓	137,802
Washington	✗	N/A	✓	324,516	✓	162,258
Wyoming	✗	N/A	✓	29,730	✓	29,730