



# State of Rhode Island COMMISSION FOR HUMAN RIGHTS

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## **WRITTEN TESTIMONY OF THE RHODE ISLAND COMMISSION FOR HUMAN RIGHTS**

BILL NO.: 2024 H 7476  
BILL TITLE: An Act Relating to Elections – Statewide Referenda Elections  
PRIMARY SPONSOR: Representative Shanley  
COMMITTEE: House State Government & Elections  
HEARING DATE: March 26, 2024  
PLACE: House Lounge – State House

***The Rhode Island Commission for Human Rights (“Commission”) SUPPORTS this bill.***

The Commission is the state’s primary antidiscrimination law enforcement agency charged with investigating allegations of discrimination in the areas of employment, housing, public accommodations and credit.

**This bill requires ballot questions be written in plain language so that a person with middle school reading comprehension skills can understand them.**

While Rhode Island’s adult literacy rate is at or above the national average,<sup>1</sup> basic literacy does not mean that a person can read and understand legal jargon. Ballot measures in particular are sometimes drafted intentionally to be difficult to parse.<sup>2</sup> Nationally, “on average, 2019 ballot initiatives required 15 years of formal U.S. education in order to comprehend both the measure title and the summary listed on the ballot (Ballotopedia). As reflected in data from the National Center for Education Statistics, in 2018, only 35 percent of adults aged 25 and over had attained a bachelor’s degree, which would provide for the suggested 15 years.”<sup>3</sup> This is not a hypothetical concern in Rhode Island: at least one of the ballot questions in the recent 2022 election had a Fleisch-Kincaid reading level above high school.<sup>4</sup> Using intentional plain language in ballot

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<sup>1</sup> *Comparison Charts of State and County Estimates*, Inst. Of Ed. Sciences, 1, <https://nces.ed.gov/surveys/piaac/skillsmap/src/PDF/STATE.pdf>.

<sup>2</sup> Hvasta, Rachel, “Ballot Measure Accessibility: Obscuring Voter Representation,” HUMAN RTS. MAGAZINE, Vol. 45, No. 1, [https://www.americanbar.org/groups/crsj/publications/human\\_rights\\_magazine\\_home/voting-rights/ballot-measure-inaccessibility--obscuring-voter-representation/](https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/voting-rights/ballot-measure-inaccessibility--obscuring-voter-representation/) (Feb. 9, 2020).

<sup>3</sup> *Id.*

<sup>4</sup> <https://vote.sos.ri.gov/Forms/elections/pdfs/2022SampleReferendaQuestions.pdf>.

questions helps ensure that the measures are clear, and votes on ballot questions reflect the true will of the voters. **The Commission urges the Committee to pass the bill.**

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