

Citizen-Initiative Ballot Access Requirements by State (Jan. 2019)

Prepared by: University of Arkansas System Division of Agriculture Public Policy Center

STATE	Amendment (Signatures Required)	State Statutes (Signatures Required)	Referendums/Veto (Signatures Required)	Geographic Distribution Requirements	Circulation & Petition Deadlines	Notes & Resources
Alaska	N/A	10% of votes cast in previous general election	10% of votes cast in previous general election	Signatures equal to 7% of total district vote in last general election must be collected in each of three-fourths of the 40 Alaska House Districts; Set by 2004 ballot measure.	Initiative: 365 days after petition booklets for proposed initiative are prepared by state division of election. Initiative signatures must be submitted before beginning of legislative session in January. Referendum: Signatures must be submitted 90 days after end of legislative session.	
Arizona	15 % of votes cast for governor in previous election	10% of votes cast for governor in previous election	5% of votes cast for governor in previous election	N/A	Initiative: Can gather signatures for two years. Deadline to submit is 4 months before general election. Referendum: Submit signatures within 90 days of legislative session ending.	https://azsos.gov/sites/default/files/2018%200502%20Initiative%20and%20Referendum%20Guide.pdf
Arkansas	10% of votes cast for governor in previous election	8% of votes cast for governor in previous election	6% of votes cast for governor in previous election	Amendment: Signatures equal to 5% of votes cast for governor from each of 15 counties. State law: Signatures equal to 4% of votes cast for governor from each of 15 counties.	No limit on how long a petition can be circulated. Deadline to submit is 4 months prior to election. Referendum: Submit signatures within 90 days of legislative session ending.	https://www.sos.arkansas.gov/uploads/elections/2017-2018_IR_Handbook_Jan_2018.pdf

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California	8% of votes cast for governor in previous election	5% of votes cast for governor in previous election	5% of votes cast for governor in previous election	N/A	180 days from AG ballot title approval to collect signatures. Measure must be certified at least 131 days before the election. Referendum: Signatures must be submitted 90 days after end of legislative session.	https://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative/initiative-guide/
Colorado	5% of votes cast for Secretary of State in previous election	5% of votes cast for Secretary of State in previous election	5% of votes cast for Secretary of State in previous election	N/A	Proponents have 6 months to collect signatures after ballot title approval. Deadline to submit signatures is 3 months before election. Set by Constitution. Referendums: Signatures due 90 days after legislative session ends.	https://www.sos.state.co.us/pubs/elections/Initiatives/guide/1-Guidelines.html http://www.sos.state.co.us/pubs/elections/Initiatives/files/PetitionManual.pdf
Florida	8% of votes cast in previous presidential election.	N/A	N/A	Signatures equaling at least 8% of the district-wide vote in the last presidential election be collected from at least half (14) of the state's 27 congressional districts.	Petitions can circulate for indefinite time but signatures are only valid for a two-year period. So all signatures must be collected within 2 years. Signatures must be verified by Feb. 1 of year initiative appear on ballot.	https://dos.myflorida.com/media/697659/initiative-petition-handbook-2018-election-cycle-eng.pdf
Idaho	N/A	6% of number of registered voters as of state's last general election.	6% of number of registered voters as of state's last general election.	Signatures to equal at least 6% of registered voters in 18 of the state's 35 legislative districts. Set by 2013 state law after county-based requirement was found unconstitutional.	Appear on even-numbered year ballots. Can gather signatures for 18 months after receiving approved ballot title. Deadline to submit is May 1 of election year. Referendum: Gather signatures for 60 days after legislative session ends.	https://sos.idaho.gov/elect/inits/2018/instructions.html
Illinois	8% of votes cast for governor in previous election	N/A	N/A	N/A	Appear on even-numbered year ballots. Deadline to submit signatures is 6 months before election.	State Constitution limits constitutional amendments to proposals addressing "structural and procedural subjects contained in Article IV."

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Maine	N/A	10% of votes cast for governor in previous election	10% of votes cast for governor in previous election	N/A	Can gather signatures for 18 months after petitions are cleared to circulate. Signatures dated more than 1 year are considered invalid. Must submit signatures within 25 to 50 days of legislative session depending on the year. Referendum: Can gather signatures for 90 days after legislative session ends.	Maine has an indirect initiative process. Petitions must be presented to the state legislature. If the legislature does not adopt the proposal, the measure is placed before voters. Legislators have the ability to refer a competing alternative proposal to voters. https://www.maine.gov/sos/cec/elec/citizens/inipak.html
Maryland	N/A	N/A	3% of total votes cast for governor in previous election	No more than 50% of signatures can come from any one county or city of Baltimore.	Referendum: June 1-June 30.	https://sos.maryland.gov/Pages/Election/Petitions-for-Referendum.aspx
Massachusetts	3% of votes cast for governor in previous election. One-fourth of the legislature must approve petition in votes over two legislative sessions to reach ballot. House & Senate hold joint session on measures.	3% of votes cast for governor in previous election. If legislature approves it, proposal becomes law. If legislature rejects it, proponents may collect additional signatures equal to 0.5% of votes cast for governor to put on ballot.	1.5% of votes cast for governor in previous election.	No more than 25% of the signatures may come from any one county.	Signatures must be submitted 2 weeks before first Wednesday in December of year prior to election year. Referendum: Petitions must be submitted within 30 days of law going into effect.	Uses a two-step process. Petitioner submits proposal to legislature, which then has opportunity to consider proposal. If the legislature rejects proposal, a second round of signatures can be collected to force issue onto the ballot. 1/4 of state legislators must approve proposed amendment to be put on ballot. Successful petitions are usually on ballot 3 years after signatures submitted. The Constitution excludes from the Initiative subjects that relate to religion, judges, the courts, particular localities of the Commonwealth, specific appropriations, and certain provisions of the state constitution's Declaration of Rights. Additionally, substantially the same petition cannot have appeared on the ballot at either of the two immediately preceding biennial state elections. https://www.mass.gov/info-details/the-initiative-petition-process http://www.sec.state.ma.us/ele/elebalm/balmover.htm https://web.archive.org/web/20130511021828 http://www.sec.state.ma.us/ele/eleguide/guideamend.htm

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Michigan	10% of votes cast for governor in previous election	8% of votes cast for governor in previous election	5% of votes cast for governor in previous election	N/A	Even-numbered years. Amendments: Signatures are due 120 days prior to targeted election. Signatures are valid for 180 days. Statutes: Due 160 days prior to election. Referendum: 90 days after legislative session ends.	Indirect for state laws. The legislature has 40 days to adopt a proposed statute. If they reject it, the measure goes on the ballot. https://www.michigan.gov/documents/sos/Ini_Ref_Pet_Website_339487_7.pdf
Mississippi	12% number of votes cast for governor in previous election.	N/A	N/A	Signatures from each congressional district shall not exceed 1/5 total number of signatures required. Set by Constitution.	Proponents have 1 year to circulate signatures. Petitions must be submitted to Secretary of State at least 90 days prior to start of legislative session. Petitions must be certified by early October of year preceding election year.	State has 4 congressional districts, but amount based on previous 5 districts as existed in 2000. Indirect constitutional amendment process. Legislature has ability to hold hearings on the proposal before it appears on the ballot and has the ability to propose competing alternatives on the same ballot. For a measure to pass, the number of votes in favor of the initiative must be equal to or more than 40% of the total votes cast at the election. The process cannot be used to modify the Bill of Rights; amend any law or constitutional provision relating to the Public Employees Retirement System, to amend or repeal Mississippi's "Right to Work" constitutional provision or to modify the initiative process. http://www.sos.ms.gov/Elections-Voting/Pages/Mississippi%27s-Initiative-Process.aspx http://www.sos.ms.gov/Elections-Voting/Documents/2015%20Constitutional%20Initiative%20Guide-process%20handbook.pdf

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Missouri	Must collect signatures equal to 8% of the votes cast for governor in previous election in any six of the eight congressional districts.	Must collect signatures equal to 5% of the votes cast for governor in the previous election in any six of the eight congressional districts.	Must collect signatures equal to 5% of the votes cast for governor in the previous election in any six of the eight congressional districts.	Collect from 2/3 congressional districts (six of eight).	Even-numbered years. Signatures must be submitted 6 months before election. Referendums: Signatures must be submitted 90 days after legislative session.	https://www.sos.mo.gov/CMSImages/Elections/Petitions/MakeYourVoiceHeard.pdf
Montana	10% of votes cast for governor in previous election	5% of votes cast for governor in previous election	5% of votes cast for governor in previous election	Amendment: Signatures must come from 10% of the voters in each of 40 legislative House districts. Statute/Referendum: Signatures must come from 5% of voters in each of 34 legislative House districts.	1 year to circulate petitions and be certified in each county, which must submit to SOS by 3rd Friday of the fourth month prior to election. Must submit petitions to counties no sooner than 9 months and no later than 4 weeks before final deadline. Can collect signatures no earlier than 1 year prior to final filing deadline.	https://sosmt.gov/Portals/142/Elections/Documents/Ballot-Issue-and-Signature-Gathering-Guidelines.pdf?dt=1493154471068&dt=1494449835691&dt=1498755366295&dt=1498755460695&dt=1523475015122 https://sosmt.gov/elections/ballot_issues/#1523475305211-c5e2cd9a-5459
Nebraska	10% of registered voters	7% of registered voters	5% of registered voters For a referendum suspending a law from taking effect, 10% of registered voters	Collect signatures from 5% of registered voters in 38 of Nebraska's 93 counties. Referendum: 10% of registered voters in 38 counties.	Even-numbered years. Deadline to submit signatures is 4 months before election. Signatures become invalid at the first general election occurring at least four months after the petition is filed. Referendum: 90 days after legislative session ends.	http://www.sos.ne.gov/elec/pdf/init_ref.pdf Can not be used for issues that interfere with legislature's prerogative to raise necessary revenue for the state and its political subdivisions.

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Nevada	10% of total votes cast in previous general election.	10% of total votes cast in previous general election.	10% of total votes cast in previous general election.	Signatures must be gathered in each of the four petition districts.	<p>Statutes, amendments and referendums have different deadlines and circulation periods.</p> <p>Amendment: Final filing must be made at least 90 days before election.</p> <p>Statute: Final filing must be made at least 30 days before next legislative session.</p> <p>Referendum: Filing must be made at least 120 days before next election.</p>	<p>Amendments must be approved by voters in two consecutive elections before they are added to the constitution.</p> <p>Statute petitions go to the legislature. The legislature can adopt the proposal into law. If the legislature rejects the proposal or fails to take action, the proposal goes on the next ballot.</p> <p>https://www.nvsos.gov/sos/elections/initiatives-referenda/filing-a-constitutional-initiative</p> <p>https://www.nvsos.gov/sos/elections/initiatives-referenda/filing-a-statutory-initiative</p>
New Mexico	N/A	N/A	10% of total votes cast in previous general election	Signatures equaling 10% of votes cast in previous election must come from 25 of New Mexico's 33 counties.	Signatures are due 90 days after legislative session ends.	
North Dakota	4% of population at last federal decennial Census	2% of population at last federal decennial Census	2% of population at last federal decennial Census	N/A	<p>Signatures must be filed no later than 1 year from date it is approved for circulation.</p> <p>Petitions must be submitted at least 120 days before the election. Set by ballot measure.</p> <p>Referendum: Signatures must be submitted within 90 days of end of legislative session.</p>	<p>Doesn't have voter registration</p> <p>https://vip.sos.nd.gov/PortalListDetails.aspx?ptlhPKID=7&ptlPKID=1#content-start</p> <p>https://vip.sos.nd.gov/pdfs/Portals/initiating.pdf</p>

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Ohio	10% of votes cast for governor in previous election	Indirect: 3% of votes cast for governor in previous election for initial petition. An additional 3% would be needed to put on ballot if legislature rejects or fails to act on proposal.	6% of votes cast for governor in previous election	Signatures must come from 44 of Ohio's 88 counties. The specific number of signatures depends on type. Amendment: 5% of votes cast for governor in each of 44 counties. Statute: 3% of votes cast for governor, in two rounds equal to 1.5%, in each of 44 counties. Referendum: 3% of votes cast for governor in each of 44 counties.	No deadline on how long signatures can be collected. Signatures are due at least 125 days prior to election. Indirect statutes are due 10 days before beginning of session. Second round within 90 days of legislature's passage. Referendum: The petitions must be filed with the Secretary of State within 90 days after the law or section of law to be referred has been filed with the Secretary of State by the Governor.	Campaigns collect signatures equal to 3 percent of governor vote to place statute before legislature. If legislature fails to enact statute, additional signatures equaling another 3 percent of vote must be collected to put on ballot. Before approved for circulation, must file 1,000 signatures. https://www.ohioattorneygeneral.gov/Legal/Ballot-Initiatives/Initiative-and-Referendum-Signature-Requirements https://www.ohioattorneygeneral.gov/Legal/Ballot-Initiatives https://www.sos.state.oh.us/globalassets/elections/eoresources/general/questionsandissues.pdf
Oklahoma	15% of votes cast for governor in previous election	8% of votes cast for governor in previous election	5% of votes cast for governor in previous election	N/A	Signatures must be filed within 90 days of petition being filed with SOS. Must be submitted at least 60 days prior to election.	Previously rejected measures require 25% of votes cast for governor to be placed on ballot again within 3 years. https://www.sos.ok.gov/gov/petition_process.aspx
Oregon	8% of votes cast for governor in previous election	6% of votes cast for governor in previous election	4% of votes cast for governor in previous election	N/A	Signatures must be submitted four months prior to election. Petitioners have 2 years to circulate petitions. Special deadline for signatures gathered by paid canvassers. Must submit signatures every month. Referendum: Must be submitted within 90 days of end of legislative session.	https://sos.oregon.gov/elections/documents/stateir.pdf https://www.orcities.org/Portals/17/Library/InitiativeReferendumFAQFINAL6-15-17.pdf

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South Dakota	10% of votes cast for governor in previous election	5% of votes cast for governor in previous election	5% of votes cast for governor in previous election	N/A	No signature may be obtained more than 24 months before the designated election. Signatures must be submitted at least 1 year before election. Referendum: Signatures must be submitted within 90 days of legislative session ending.	https://sdsos.gov/elections-voting/assets/HowToCirculate2018BQPetition.pdf https://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=2-1-1.2
Utah	N/A	Petitioner can choose whether to use direct or indirect petition process Direct: 10% of votes cast for president in the previous election Indirect: 5% of votes cast for president in the previous election	10% of votes cast for president in the previous election	Signatures must be gathered from at least 26 of state's 29 state Senate districts.	No limit on circulation. Direct: Signatures must be submitted to county clerk within 316 days from when filed with Lt. Gov or on April 15 of election year, whichever is soonest. Indirect: Signatures must be filed by Nov. 15 before the next legislative session.	If legislature chooses not to adopt, petitioners must collect signatures equal to another 5% of votes cast in last presidential election to place measure on ballot. There are several administrative steps before petitions can be circulated, such as fiscal impact estimates. https://elections.utah.gov/election-resources/utah-initiatives
Washington	N/A	Petitioner can choose whether to use direct or indirect petition process. Direct: 8% of votes cast for governor in previous election Indirect: 8% of votes cast for governor in previous election	4% of votes cast for governor in previous election	N/A	Direct: Filings can't be made more than 10 months before election. Signatures are due at least 4 months prior to election. Indirect: Filings can't be made more than 10 months before legislative session. Signatures are due at least 10 days before legislative session starts.	The legislature can chose to offer an alternative competing measure on the same ballot. Measure that would authorize gambling or a lottery requires a 60 percent supermajority vote. https://www.sos.wa.gov/elections/initiatives/faq.aspx https://www.sos.wa.gov/elections/initiatives/instructions.aspx
Wyoming	N/A	Signatures equal to 15% of ballots cast in general election	Signatures equal to 15% of ballots cast in general election	Signatures equal to 15% of ballots cast from at least 2/3 of the state's 23 counties.	18 months to collect signatures and file petitions. Referendum: Within 90 days of legislative session ending.	Highest signature requirement for any state. https://soswy.state.wy.us/Elections/InitiativeReferendumInfo.aspx

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Prepared by Kristin Higgins, University of Arkansas System Division of Agriculture Public Policy Center/January 2019						
Sources & Other Resources:						
<p data-bbox="134 337 1493 362"><i>University of Southern California, Initiative and Referendum Institute</i></p> <p data-bbox="134 362 1493 386">http://www.iandrinstitute.org/docs/Almanac-Signature-and-SS-and-GD-Requirements.pdf</p> <p data-bbox="134 418 1493 443">Older, but good background information: http://www.iandrinstitute.org/docs/A_Comparison_of_Statewide_landR_Processes.pdf</p> <p data-bbox="134 475 1493 500"><i>National Conference of State Legislators - Petition Circulation Periods (2002)</i></p> <p data-bbox="134 500 1493 524">http://www.ncsl.org/research/elections-and-campaigns/petition-circulation-periods.aspx</p> <p data-bbox="134 557 1493 581"><i>The Council of State Governments</i></p> <p data-bbox="134 581 1493 605">http://knowledgecenter.csg.org/kc/content/what-signature-requirements-do-states-have-ballot-measures</p> <p data-bbox="134 638 1493 662"><i>Ballotpedia</i></p> <p data-bbox="134 662 1493 686">https://ballotpedia.org/Ballot_initiative</p>						