

TABLE 6.13  
State Initiatives: Voting on the Initiative

State or other jurisdiction	Ballot (a)		Election where initiative voted on	Effective date of approved initiative (b) Const. amd.	Statute	Days to contest election results (c)	Can an approved initiative be:			Can a defeated initiative be refiled?
	Title by:	Summary by:					Amended?	Vetoed?	Repealed?	
Alabama	...	...	...	...	...	...	...	...	...	...
Alaska	LG	LG	GE, PR or SP	...	90 days (d)	10	Y	N	Y(e)	N
Arizona	SS, AG	SS, AG	GE	...	IM(f)	5	(g)	N	N	Y
Arkansas	AG	AG	GE	30 days	30 days	20	Y	N	Y	Y
California	AG	AG	GE	1 day (h)	1 day (h)	5 (d)	Y (i)	N	Y (j)	Y
Colorado	TB (j)	TB (j)	GE, Odd year	30 days	30 days	10	N (k)	N (k)	N (k)	...
Connecticut	...	...	...	...	...	...	...	...	...	...
Delaware	...	...	...	...	...	...	...	...	...	...
Florida	SP	SP	GE	(m)	...	10	Y (n)	N	Y (n)	Y
Georgia	...	...	...	...	...	...	...	...	...	...
Hawaii	...	...	...	...	...	...	...	...	...	...
Idaho	AG	AG	GE	...	IM	20	Y	N	Y	Y
Illinois	...	SS (o)	GE	...	...	30	(p)	...	...	Y
Indiana	...	...	...	...	...	...	...	...	...	...
Iowa	...	...	...	...	...	...	...	...	...	...
Kansas	...	...	...	...	...	...	...	...	...	...
Kentucky	...	...	...	...	...	...	...	...	...	...
Louisiana	...	...	...	...	...	...	...	...	...	...
Maine	Sponsor, SS	SS	REG or SP	...	30 days (f)	5	Y	N	Y	...
Maryland	...	...	...	...	...	...	...	...	...	...
Massachusetts	AG	AG	GE	30 days	30 days	10	Y	Y	Y	after 2 biennial elections
Michigan	BSC	BSC	GE	45 days	10 days	2 (r)	Y	N	Y	Y
Minnesota	...	...	...	...	...	...	...	...	...	...
Mississippi	AG	AG	GE	30 days	...	...	Y (s)	Y (s)	N	after 2 yrs.
Missouri	SS, AG	SS, AG	GE	30 days	IM	30 (r)	Y	N	Y	Y
Montana	AG	AG	GE	Jul. 1	Oct. 1	1 yr.	Y	N	Y	Y
Nebraska	AG	AG	GE	10 days	10 days	40	Y	N	Y	N (t)
Nevada	SS, AG	SS, AG	GE	(u)	(u)	14	(v)	(v)	(v)	Y
New Hampshire	...	...	...	...	...	...	...	...	...	...
New Jersey	...	...	...	...	...	...	...	...	...	...
New Mexico	...	...	...	...	...	...	...	...	...	...
New York	...	...	...	...	...	...	...	...	...	...
North Carolina	...	...	...	...	...	...	...	...	...	...
North Dakota	SS, AG	SS	PR or GE	30 days	30 days (w)	14	(x)	N	(x)	Y
Ohio	Ohio Ballot Board	(y)	GE	30 days	30 days	15	(z)	N	N	Y
Oklahoma	AG	P	GE or SP	IM	IM	...	Y	Y	Y	after 3 yrs. (aa)
Oregon	AG	AG	GE	30 days	30 days	40	Y	Y	Y	Y
Pennsylvania	...	...	...	...	...	...	...	...	...	...
Rhode Island	...	...	...	...	...	...	...	...	...	...
South Carolina	...	...	...	...	...	...	...	...	...	...
South Dakota	AG	AG	GE	(bb)	(bb)	...	Y	N	N	Y
Tennessee	...	...	...	...	...	...	...	...	...	...
Texas	...	...	...	...	...	...	...	...	...	...
Utah	LLS	LLS	GE	...	5 days (cc)	40	Y	N	N	after 2 yrs.
Vermont	...	...	...	...	...	...	...	...	...	...
Virginia	...	...	...	...	...	...	...	...	...	...
Washington	AG	AG	GE	...	30 days	10 days	Y (l)	...	Y (l)	Y
West Virginia	...	...	...	...	...	...	...	...	...	...
Wisconsin	...	...	...	...	...	...	...	...	...	...
Wyoming	SS	SS, AG	GE 120 days after LS	...	90 days	15 after Canvass	Y	N	after 2 yrs.	after 5 yrs.
American Samoa	...	...	...	...	...	...	...	...	...	...
CNMI*	AG	AG	GE	(q)	(q)	30	...	...	...	Y
Puerto Rico	LC	AG, LLS	GE	...	IM	...	Y	...	...	Y
U.S. Virgin Islands	Office of Supervisor of Elections	Office of Supervisor of Elections	Any election	IM	IM	7	(v)	...	(v)	Y

See footnotes at end of table

## INITIATIVES

TABLE 6.13

### State Initiatives: Voting on the Initiative (continued)

Sources: The Council of State Governments' survey of state election website, Initiative & Referendum Institute website and Ballotpedia website, May 2019.

\*Commonwealth of Northern Mariana Islands

Key:

...—No provision

LG—Lieutenant Governor

SS—Secretary of State

AG—Attorney General

P—Proponent

LC—Legislative Council

LLS—Legislative Legal Services

BSC—Board of State Canvassers

SBE—State Board of Elections

PR—Primary election

GE—General election

REG—Regular election

SP—Special election

IM—Immediately

LS—Legislative session

TB—Title Board

Y—Yes

N—No

w/i—Within

- (a) In some states, the ballot title and summary will differ from that on the petition.
- (b) A majority of the popular vote is required to enact a measure. In Massachusetts and Nebraska, apart from satisfying the requisite majority vote, the measure must receive, respectively, 30% and 35% of the total votes cast in favor. An initiative approved by the voters may be put into effect immediately after the approving votes have been canvassed. In California and Nebraska, the measure may specify an enacting date. In Colorado, measures take effect from the date of proclamation by governor, but no later than 30 days after votes have been canvassed and certified by secretary of state. In Nebraska, 10 days after completion of canvass by the State Board of Canvassers.
- (c) Individuals may contest the results of a vote on an initiative within a certain number of days after the election including the measure proposed.
- (d) After certification of election.
- (e) May not be repealed within 2 years of its effective date.
- (f) Upon governor's proclamation.
- (g) Initiative can be amended by three-fourths of the members of each house of the legislature (AZ Constitution Article 4, Part 1, Section 14).
- (h) Unless the measure requires otherwise.
- (i) Changes must be submitted to voters unless the measure provided for legislative amendment or repeal.
- (j) Ballot title: Drafted by Legislative Council of the General Assembly, then finalized by three board members called the Title Board. Summary by: Legislative Council of the General Assembly.
- (k) If it is statutory it can be changed by the legislature.

- (l) No initiated statute can be amended or repealed within 2 years without a two-thirds super majority in both chambers. Any initiated law so amended is not subject to veto referendum.
- (m) It is effective the first Tuesday after the first Monday in January following election unless specified in the amendment.
- (n) Amendments or repeal must be voted on by the voters.
- (o) Subject to approval of the Attorney General.
- (p) Changing a constitutional amendment would require another constitutional amendment.
- (q) Effective upon approval by voters and certification of election result by Election Commission: usually 15 days after date of election or later if there is an election contest.
- (r) After election is certified.
- (s) The approved initiative to amend the Constitution can be adopted, amended or rejected by the legislature or no action can be taken. In all cases, the initiative and alternative adopted are placed on the next statewide general election ballot.
- (t) Not on next ballot.
- (u) Constitutional amendment—after passed twice by the voters it becomes effective upon the completion of the canvass of votes by the Supreme Court on the fourth Tuesday of November following the election. Statute—effective on the date approved by the governor or the canvass of the vote by the Supreme Court.
- (v) It cannot be amended or repealed within three years from the date it takes effect.
- (w) An initiative to repeal a statute is effective immediately following the election.
- (x) A measure approved by the electors may not be amended or repealed by the legislative assembly for seven years from its effective date, except by a two-thirds vote of the members elected to each house; majority vote thereafter.
- (y) No summary, but the Ohio Ballot Board prescribes the ballot language. Also explanations and arguments for and against the proposal may be prepared by the petitioner and the person(s) appointed by the governor or, if appropriate, the General Assembly. The Ohio Ballot Board must prepare any missing explanation or argument appointed by the governor or, if appropriate, the General Assembly. The Ohio Ballot Board must prepare any missing explanation or argument.
- (z) Initiated constitutional amendment proposed by petition cannot be vetoed; cannot be amended or repealed except by another constitutional amendment. Initiated statute cannot be vetoed by the governor, but may be amended or repealed after its effective date via legislation or another initiative.
- (aa) Three year waiting period unless proponents can gather signatures equal to 25 percent of total vote cast in last governor's election.
- (bb) Upon completion of official canvass of votes.
- (cc) If an indirect initiative is adopted by the legislature, it takes effect 60 days after the adjournment of the legislative session in which it is passed. Unless otherwise specified in the measure, direct initiatives take effect five days after the governor proclaims the official election results.