

Table 6.14
STATE REFERENDUMS: REQUESTING PERMISSION TO CIRCULATE A CITIZEN PETITION

State or other jurisdiction	Citizen petition (a)	Signatures required to request a petition (b)	Request submitted to:	Request forms furnished by: (c)	Restricted subject matter (d)	Individual responsible for petition		Financial contributions reported (e)	Deposit required (f)
						Title	Summary		
Alabama.....	...	...	...	...	...	...	...	...	...
Alaska.....	Y	100	LG	DV	Y	LG	LG	Y	\$100
Arizona.....	Y	5% VG	SS	SS	Y	P	P	Y	N
Arkansas.....	Y	8% VG, initiative; 6% VG, referendum	AG	SP	N	AG	AG	Y	N
California.....	Y	25	AG	LC	Y	AG	AG	N	\$200
Colorado.....	Y	At least 2 people representing issue	LS,SS	LS	Y	SP	LS	Y	N
Connecticut.....	...	...	...	...	...	...	...	...	...
Delaware.....	...	...	...	...	...	...	...	...	...
Florida.....	Y	8% of vote in last presidential election and 1/2 of congressional districts	SS	SS	N (g)	SP	SP	Y	N (h)
Georgia.....	...	...	...	...	...	...	...	...	...
Hawaii.....	...	...	...	...	...	...	...	...	...
Idaho.....	Y	20	SS	SP	N	AG	AG	Y	N
Illinois.....	Y	...	...	...	Y	P	...	Y, for \$3,000 or more	...
Indiana.....	(i)	Varies	SS	SS	Y	Varies	...	...	...
Iowa.....	...	...	...	...	...	...	...	...	...
Kansas.....	...	...	...	...	...	...	...	...	...
Kentucky.....	N	...	...	...	...	...	...	...	...
Louisiana.....	...	...	...	...	...	...	...	...	...
Maine.....	Y	5	SS	SS	Y	SPSS	SS (j)	Y	...
Maryland.....	Y	(k)	...	SBE	Y	SP	AG	Y	N
Massachusetts.....	Y	10	AG	SS	Y	AG	AG	Y	N
Michigan.....	Y	8% VG, initiative; 5% VG, referendum	SS	SS	Y	Board of State Canvassers	Board of State Canvassers	Y	N
Minnesota.....	...	...	...	...	...	...	...	...	...
Mississippi.....	Y	Any "qualified elector" may file	SS	SS	Y	AG	AG	Y	\$500
Missouri.....	Y	...	SS	DV	Y	SS,AG	SS,AG	Y	N
Montana.....	Y	(l)	LS,SS,AG	SP	Y	AG	AG	Y	N
Nebraska.....	Y	...	SS	...	Y	SP	SP	Y	N
Nevada.....	Y	...	SS	SS	Y	PSP	PSP	Y	N
New Hampshire.....	...	...	...	...	...	...	...	...	...
New Jersey.....	...	...	...	...	...	...	...	...	...
New Mexico.....	...	...	...	...	...	...	...	...	...
New York.....	...	...	...	...	...	...	...	...	...
North Carolina.....	...	...	...	...	...	...	...	...	...
North Dakota.....	Y	25	SS	SP	N	SS,AG	SS	Y	N
Ohio.....	Y	"qualified voters" 1,000 "qualified electors"	SS,AG	PE	Y	PE	PE (m)	Y	\$25
Oklahoma.....	Y	(n)	SS	SS	N	P	P	Y	N
Oregon.....	Y	4% VG	LC,SS (o)	SS	Y	AG	AG	Y	N
Pennsylvania.....	...	...	...	...	...	...	...	...	...
Rhode Island.....	...	...	...	...	...	...	...	...	...
South Carolina.....	...	...	...	...	...	...	...	...	...
South Dakota.....	Y	5% VG	LS	SP	N	AG	AG	Y	N
Tennessee.....	...	...	...	...	...	...	...	...	...
Texas.....	...	...	...	...	...	...	...	...	...
Utah.....	Y	5 SP	LG	LG	Y (p)	SP	SP	Y	...
Vermont.....	...	...	...	...	...	...	...	...	...
Virginia.....	...	...	...	...	...	...	...	...	...
Washington.....	Y	8% VG, initiative; 4% VG, referendum	SS	SS	Y (q)	AG	AG	Y	\$5.00
West Virginia.....	N	...	...	...	...	...	...	...	...
Wisconsin.....	...	...	...	...	...	...	...	...	...
Wyoming.....	Y	100	SS	SS	Y	SS	SS	Y	\$500
American Samoa.....	...	...	...	...	...	SP	AG	Y	N
No. Mariana Islands...	Y	...	...	...	Y	SP	Other	Y	N
Puerto Rico.....	Y	10% district/ 41% territorial	Other	SBE	N	SP	Other	Y	N
U.S. Virgin Islands.....	...	...	L	L	N	L	L	N	N

See footnotes at end of table.

REFERENDUMS

STATE REFERENDUMS: REQUESTING PERMISSION TO CIRCULATE A CITIZEN PETITION — *Continued*

Source: The Council of State Governments' survey of state election administration offices, April 2014.

Key:

... — Not applicable.
EV — Eligible voters.
VG — Total votes cast for the position of governor in the last election.
LG — Lieutenant Governor.
LS — Legislative services.
L — Legislature.
LC — Office of Legislative Counsel.
SS — Secretary of State.
SBE — State Board of Elections.
DV — Division of Elections.
AG — Attorney General.
P — Proponent.
PE — Petitioner.
ST — State.
SP — Sponsor.
Y — Yes.
N — No.

(a) Three forms of referenda exist: citizen petition, submission by the legislature, and constitutional requirement. This table outlines the steps necessary to enact a citizen's petition.

(b) Prior to circulating a statewide petition, a request for permission to do so must first be submitted to a specified state officer. Some states require such signatures to only be those of eligible voters.

(c) The form on which the request for petition is submitted may be the responsibility of the sponsor or may be furnished by the state.

(d) Restrictions may exist regarding the subject matter to which a referendum may be applied. The majority of these restrictions pertain to the dedication of state revenues and appropriations, and laws that maintain the preservation of public peace, safety and health. In Kentucky, referenda are only permitted for the establishment of soil and water and watershed conservation districts.

(e) In some states, a list of individuals who contribute financially to the referendum campaign must be submitted to the specified state officer with whom the petition is filed.

(f) A deposit may be required after permission to circulate a petition has been granted. This amount is refunded when the completed petition has been filed correctly.

(g) New fees/taxes requires 2/3 majority vote.

(h) SS charges 10 cent fee per signature that must be verified for ballot consideration.

(i) A referendum can only be placed on the ballot if authorized by a state law. As a result, a county or town election board cannot print any referendum on the ballot unless the legislature has already passed a law to permit the referendum. Therefore, each statute is different.

(j) Petition sponsor may submit proposed petition summary for approval to State Administrator of Elections but a formal request to circulate a petition is not required.

(k) No specific requirement to request a petition. Legislative Services receives the request and reviews it, and then the sponsor submits it to the secretary of state and attorney general for petition format review and legal and constitutional sufficiency review.

(l) State auditor writes the fiscal note.

(m) Petitioners must prepare the summary, and submit it to the Ohio attorney general, who then must certify whether the summary fully and accurately describes the proposal.

(n) Five percent of legal voters based upon the total number of votes cast at the last general election for the state office receiving the highest number of votes.

(o) LC must also reasonably expect the measure to be put to a vote w/ verified # of signatures (4% for referendum of VG, statutory/const. amdts. different).

(p) May not challenge laws passed by two-thirds of each house of the legislature; any measure prohibiting/limiting wildlife hunting/management takes two-thirds vote in support.

(q) No bills with an emergency clause.