

Table 6.10
STATE INITIATIVES: REQUESTING PERMISSION TO CIRCULATE A PETITION

| State or other jurisdiction | Applied to (a) | | Signatures required to request a petition (b) | | Request submitted to | Request form furnished by (c) | Restricted subject matter (d) | Individual responsible for petition | | Financial contributions reported (e) | Deposits required (f) |
|-----------------------------|----------------|---------|---|---------|----------------------|-------------------------------|-------------------------------|-------------------------------------|---------|--------------------------------------|-----------------------|
| | Const. amdt. | Statute | Const. amdt. | Statute | | | | Title | Summary | | |
| Alabama..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Alaska..... | ... | D | ... | 100 | LG | SBE | Y | LG | LG | Y | \$100 |
| Arizona..... | D | D | 15% (g) | 10% (g) | SS | SS | N | (h) | (h) | Y | ... |
| Arkansas..... | D | D | 10% | 8% | AG | SP | N | AG | AG | Y | ... |
| California..... | D | D | ... | ... | AG | ... | Y | AG | AG | N (i) | \$200 (i) |
| Colorado..... | D | D | 5% (j) | 5% (j) | SS | SS | N | (k) | (k) | Y | N |
| Connecticut..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Delaware..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Florida..... | D | ... | ... | ... | SS | SP | N | SP | SP | Y | N |
| Georgia..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Hawaii..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Idaho..... | ... | D | ... | 20 | SS | SP | N | AG | AG | Y | N |
| Illinois..... | D | ... | ... | ... | ... | ... | Y | ... | ... | Y | N |
| Indiana..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Iowa..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Kansas..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Kentucky..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Louisiana..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Maine..... | ... | I | ... | 5 (l) | SS | SS | Y | P | SS | Y | ... |
| Maryland..... | ... | ... | ... | 3 (m) | SS (n) | SBE | Y | ... | ... | Y | N |
| Massachusetts..... | I | I | 10 | 10 | AG | SS | Y | AG | AG | Y | ... |
| Michigan..... | ... | ... | ... | ... | ... | ... | Y | SP | SP | Y | N |
| Minnesota..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Mississippi..... | I | ... | 12% | ... | SP | ... | Y | AG | AG | Y | ... |
| Missouri..... | D | D | ... | ... | SS | SP | Y | SS,AG | SS,AG | Y | N |
| Montana..... | D | D | ... | ... | (x) | SP | Y | AG | AG | Y | N |
| Nebraska..... | D | D | ... | ... | SS | SP | Y | SP | SP | Y | N |
| Nevada..... | ... | ... | ... | ... | SS | SS | Y | P,SP | P,SP | ... | ... |
| New Hampshire..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| New Jersey..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| New Mexico..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| New York..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| North Carolina..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| North Dakota..... | D | D | 4% (o) | 2% (o) | SS | SP | N | SS,AG | SS | Y (e) | N |
| Ohio..... | D | I | 1,000 | 1,000 | AG | (p) | N (q) | (p) | (p) | Y | N |
| Oklahoma..... | D | D | 15% | 8% | SS | O | N | P | P | Y | N |
| Oregon..... | D | D | 8% (r) | 6% (r) | SS | SS | N | AG | AG | Y | N |
| Pennsylvania..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Rhode Island..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| South Carolina..... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |

See footnotes at end of table.

STATE INITIATIVES: REQUESTING PERMISSION TO CIRCULATE A PETITION — Continued

| State or other jurisdiction | Applied to (a) | | Signatures required to request a petition (b) | | Request submitted to | Request form furnished by (c) | Restricted subject matter (d) | Individual responsible for petition | | Financial contributions reported (e) | Deposits required (f) |
|-----------------------------|----------------|---------|---|---------|----------------------|-------------------------------|-------------------------------|-------------------------------------|---------|--------------------------------------|-----------------------|
| | Const. amdt. | Statute | Const. amdt. | Statute | | | | Title | Summary | | |
| South Dakota | D | D | (s) | 5 EV | SS | SS | Y | SP | SP | Y | N |
| Tennessee | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Texas | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Utah | ... | D,I | ... | 5 SP | LG | LG | N | SP | SP | Y | N |
| Vermont | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Virginia | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Washington | ... | D,I | ... | (t) | SS | SP | N | AG | AG | N | \$5 |
| West Virginia | ... | ... | ... | ... | ... | SS | ... | ... | ... | ... | ... |
| Wisconsin | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| Wyoming | ... | I | ... | 100 | SS | SS | Y | SS | AG, SS | Y | \$500 |
| American Samoa | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| No. Mariana Islands ... | D | I | 50% | 20% | AG | AG | Y | SP | SP | Y | N |
| Puerto Rico | ... | D | ... | (u) | SBE | (v) | N | (v) | (v) | Y | \$500 |
| U.S. Virgin Islands | D | ... | 41% (w) | ... | SBE | SBE | Y | SBE | SBE | Y | N |

Source: The Council of State Governments' survey of state election administration offices, January 2007 and state web sites March 2010.

Key:

- ... — Not applicable
- D — Direct initiative
- I — Indirect initiative
- EV — Eligible voters
- LG — Lieutenant Governor
- SS — Secretary of State
- SBE — State Board of Elections
- N — No
- AG — Attorney General
- O — Other
- P — Proponent
- ST — State
- SP — Sponsor
- Y — Yes

(a) An initiative may provide a constitutional amendment or develop a new statute, and may be formed either directly or indirectly. The direct initiative allows a proposed measure to be placed on the ballot after a specific number of signatures have been secured on a petition. The indirect initiative must first be submitted to the legislature for decision after the required number of signatures have been secured on a petition, prior to placing the proposed measure on the ballot.

(b) Prior to circulating a statewide petition, a request for permission to do so must first be submitted to a specified state officer.

(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 an initiative 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 Illinois, amendments are restricted to "structural and procedural subjects contained in" the legislative article.

(e) In some states, a list of financial contributors and the amount of their contributions must be submitted to the specified state officer with whom the petition is filed. In North Dakota, must report any contribu-

tions and/or expenditures in excess of \$100. Must also report the gross total of all contributions received and gross totals of all expenditures made. Must give total cash on hand in the filer's account at the start and close of a reporting period.

(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) The number of signatures required to request permission to circulate a petition: Constitutional amendment, 183,917; statute, 122,612.

(h) The proponent and sponsor are responsible for the title and summary.

(i) No report required at time of filing request, but later if any money is raised, \$200 deposit required.

(j) Five percent of all votes cast for Secretary of State at last election; governor in preceding election.

(k) Title Setting Board—secretary of state, attorney general, director of legislative legal services.

(l) The name and address of five voters.

(m) Three percent of last vote for governor- at this time 51,185.

(n) Secretary of state accepts and turns over to State Board of Elections.

(o) Percentage of resident population of the state at the last federal decennial census.

(p) Petitioners. 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.

(q) Such restrictions apply to referendums, but not initiatives.

(r) Constitutional amendment, 110,358; Statute, 82,769.

(s) Number of signatures required to request a petition for a constitutional amendment, 10% of the total votes cast in the last gubernatorial election.

(t) Statute requires 224, 880.

(u) Ten percent district and 41 percent territorial.

(v) Office of the Supervisor of Elections Titling Board.

(w) District wide 10%, territory wide 41%.

(x) Legislative Services Division.