Starting a statewide ballot initiative

Citizens in 23 states can petition to place a proposed law or state constitutional amendment before voters. The directory at the end of this guide gives each state's official starting point and identifies which kind of proposal it accepts.

Where citizens cannot initiate a statewide measure

These 26 states provide no statewide citizen initiative for proposing a statute or constitutional amendment.

Alabama, Connecticut, Delaware, Georgia, Hawaii, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Minnesota, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin.

Mississippi is the 27th state without a usable process. Its constitution caps signatures from any one congressional district at 20% of the total required. With four districts, even the maximum from each adds up to only 80%. The Mississippi Supreme Court applied that rule in 2021. Read the court's opinion.

Maryland and New Mexico allow citizens to petition for a vote on certain laws their legislatures have already enacted. A referendum of that kind cannot introduce a new law. The filing directory covers citizen proposals at the state level. Compare the procedures by state.

How to ask your legislature to create an initiative right

Send your legislator a short description of the initiative right you want and ask them to sponsor the constitutional change described below. Find your state legislators

Alabama Ask your state representative or senator to introduce a constitutional amendment modeled on Alabama's 2026 House Bill 14, which would need three-fifths of the elected members of each house to reach voters for majority approval. State source · House Bill 14

Connecticut Ask a state representative or senator to introduce an amendment resolution, which reaches voters for majority approval if three-fourths of each house approves in one term or a majority of each house approves in two successive elected terms. State source

Delaware Ask your state representative or senator to sponsor an amendment bill, which becomes part of the constitution when two-thirds of the elected members of each house approve it before and again after a general election, without a statewide ratification vote. State source

Proposing a statewide initiative right

Georgia through Minnesota

Georgia Ask your state representative or senator to introduce an amendment resolution, which goes to voters at the next even-year general election for majority approval if two-thirds of the membership of each house votes for it. State source

Hawaii Ask a state legislator to introduce an amendment bill for voter ratification, using either two-thirds approval in each house after at least ten days' written notice of the final text to the governor or majority approval in each house at two successive sessions. State source

Indiana Ask a state senator or representative to introduce a joint resolution, which must win a majority of the elected members of each house before and again after the next legislative election, followed by voter ratification. State source

Iowa Ask a state representative or senator to introduce a joint resolution, which must win a majority of the elected members of each house in two successive General Assemblies before a majority of voters on the question can ratify it. State source

Kansas Ask a state legislator to introduce a concurrent resolution, which needs two-thirds of the membership of each house and a majority of votes cast on the amendment at the next House election or a specially called election. State source

Kentucky Ask a state senator or representative to introduce an amendment bill in a regular session, which needs three-fifths of the elected members of each house before voters can approve it at the next election for the state House. State source

Louisiana Ask a state legislator to prefile a joint resolution at least ten days before a regular session under the ordinary prefiling rule, then seek two-thirds of the elected members of each house and majority approval from voters on the amendment. State source

Maryland Ask a state delegate or senator to introduce a separate constitutional amendment bill, which needs three-fifths of the elected members of each house and majority approval on the question at the next general election. State source

Minnesota Ask a state representative or senator to sponsor an amendment bill, which needs a majority of the elected members of each house and affirmative votes from a majority of everyone voting in the general election, including those who skip the question in the total. State source

Proposing a statewide initiative right

Mississippi through South Carolina

Mississippi Ask a state legislator to introduce a concurrent resolution amending Section 273's district-signature rule, which requires a two-thirds vote in each house including at least a majority of its elected members, followed by majority voter approval on the amendment. State source

New Hampshire Ask a state representative or senator to file a Constitutional Amendment Concurrent Resolution (CACR), which needs three-fifths of the entire membership of each house and two-thirds of votes cast on the question at the next biennial November election. State source

New Jersey Ask a state senator or Assembly member to introduce a concurrent resolution for a public hearing, followed by three-fifths approval in each house in one legislative year or majority approval in each in successive legislative years, then majority voter ratification. State source

New Mexico Ask a state legislator to introduce a joint resolution at a regular session, which ordinarily needs a majority of the elected members of each house and a majority of votes cast on the proposed amendment. State source

New York Ask a state senator or Assembly member to introduce an amendment resolution, which needs a majority of the elected members of each house before and again after the next Assembly election, followed by majority voter approval. State source

North Carolina Ask a state representative or senator to introduce an amendment bill, which requires three-fifths of all members of each house and a majority of votes cast on the amendment statewide. State source

Pennsylvania Ask a state legislator to sponsor a joint resolution, which follows the ordinary amendment route through majority approval of the elected members of each house in two successive General Assemblies and then a majority vote on the question statewide. State source

Rhode Island Ask a state representative or senator to introduce an amendment resolution, which needs a roll-call majority of the elected members of each house and majority voter approval on the question at the next general election. State source

South Carolina Ask a state representative or senator to sponsor a joint resolution requiring two-thirds approval of the elected members of each house, majority voter approval at the next House election, and then ratification by a majority of each house of the newly elected General Assembly. State source

Proposing a statewide initiative right

Tennessee through Wisconsin

Tennessee Ask a state legislator to sponsor a joint resolution requiring a majority in each house and two-thirds in each house of the next elected legislature, followed at the next gubernatorial election by more yes than no votes and yes votes exceeding half the votes cast for governor. State source

Texas Ask a state senator or representative to introduce a joint resolution at a regular session, which needs two-thirds of the elected members of each house and a majority of votes cast on the amendment statewide. State source

Vermont Ask a state senator to introduce a proposal of amendment in the biennium beginning in 2027, when two-thirds of the Senate and a majority of the House can advance it to the next biennium for majority approval in each house and then voter ratification. State source

Virginia Ask a state delegate or senator to introduce a joint resolution, which needs a majority of the elected members of each house before and again after the next House of Delegates election, followed at least 90 days after final passage by majority voter approval. State source

West Virginia Ask a state delegate or senator to sponsor a joint resolution, which requires two-thirds of the elected members of each house on third reading and majority voter approval on the amendment at a special or general election. State source

Wisconsin Ask a state senator or Assembly member to introduce a joint resolution, which needs majority approval of the elected members of each house in two legislatures separated by a general election, followed by majority voter approval on the question. State source

What the US Constitution requires

A state may lawfully reserve lawmaking to its elected legislature. The First Amendment protects the right to petition government for redress, but it gives citizens no federal right to place their proposal on a statewide ballot. The Sixth Circuit made that distinction in Taxpayers United v. Austin, 994 F.2d 291, 295 (1993). Once a state creates an initiative process, the First Amendment protects political speech involved in gathering signatures. In Meyer v. Grant, 486 U.S. 414 (1988), the Supreme Court struck down Colorado's ban on paying petition circulators.

Taxpayers United v. Austin | Meyer v. Grant

Official initiative websites

Alaska through Missouri • State laws and constitutional amendments

Alaska Statute only | Division of Elections process guide
https://www.elections.alaska.gov/petitions-and-ballot-measures/the-process/

Arizona Statute or amendment | Secretary of State initiative instructions
https://azsos.gov/elections/ballot-measures/initiative-referendum-recall/initiatives

Arkansas Statute or amendment | Secretary of State initiative and referendum resources
https://www.sos.arkansas.gov/elections/initiatives-and-referenda

California Statute or amendment | Secretary of State qualification guide
https://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative

Colorado Statute or amendment | General Assembly draft submission instructions
https://leg.colorado.gov/how-file-initiatives

Florida Amendment only | Division of Elections sponsor resources
https://dos.fl.gov/elections/laws-rules/constitutional-amendmentsinitiatives

Idaho Statute only | Secretary of State filing requirements
https://voteidaho.gov/initiative-filing-requirements/

Illinois Amendment only | Article XIV, § 3. Only structural and procedural subjects in Article IV.
https://www.ilga.gov/commission/lru/ilconstitution2018.pdf

Maine Statute only | Secretary of State application packet
https://www.maine.gov/sos/elections-voting/peoples-veto-or-citizens-initiative-resources/citizen-initiative-application-packet

Massachusetts Statute or amendment | Attorney General filing instructions
https://www.mass.gov/guides/instructions-for-filing-an-initiative-petition

Michigan Statute or amendment | Bureau of Elections ballot proposal petition manual
https://www.michigan.gov/sos/elections/ballot-access

Missouri Statute or amendment | Secretary of State petition resources
https://www.sos.mo.gov/elections/petitions

Official initiative websites

Montana through Wyoming • State laws and constitutional amendments

Montana Statute or amendment | Secretary of State forms and submission instructions
https://sosmt.gov/elections/ballot_issues/

Nebraska Statute or amendment | Secretary of State initiative guide
https://sos.nebraska.gov/sites/default/files/doc/01-init_ref.pdf

Nevada Statute or amendment | Secretary of State filing instructions by measure type
https://nvsos.gov/sos/elections/initiatives-referenda

North Dakota Statute or amendment | Secretary of State drafting instructions
https://www.sos.nd.gov/elections/voter/ballot-measures/drafting-ballot-measures

Ohio Statute or amendment | Attorney General petition submission process
https://ohioattorneygeneral.gov/Legal/Ballot-Initiatives

Oklahoma Statute or amendment | Secretary of State filing packet instructions
https://oklahoma.gov/sos/executive-legislative-records/legislative-branch/statewide-petitions-state-questions/statewide-petitions-process-info.html

Oregon Statute or amendment | Secretary of State prospective petition forms
https://sos.oregon.gov/elections/pages/state-law.aspx

South Dakota Statute or amendment | Submit draft to Legislative Research Council first. Use statewide ballot question forms.
https://www.sdsos.gov/elections-voting/nominating-petitions/download-nominating-petition.aspx

Utah Statute only | Lieutenant Governor's statewide initiative instructions
https://vote.utah.gov/instructions-for-a-statewide-initiative/

Washington Statute only | Secretary of State initiative filing page
https://www.sos.wa.gov/elections/initiatives-referenda/filing-initiative

Wyoming Statute only | Secretary of State initiative process guide
https://sos.wyo.gov/Elections/Docs/Initiative_Process.pdf