



11-State Ballot Initiative Attitudes Research

January 24, 2024

The following memo outlines key findings from a recent poll conducted by EMC Research and North Star Opinion Research in Arkansas, Idaho, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, and Utah among 2530 registered voters exploring voter attitudes towards citizen-initiated policymaking in their states.

Key Findings

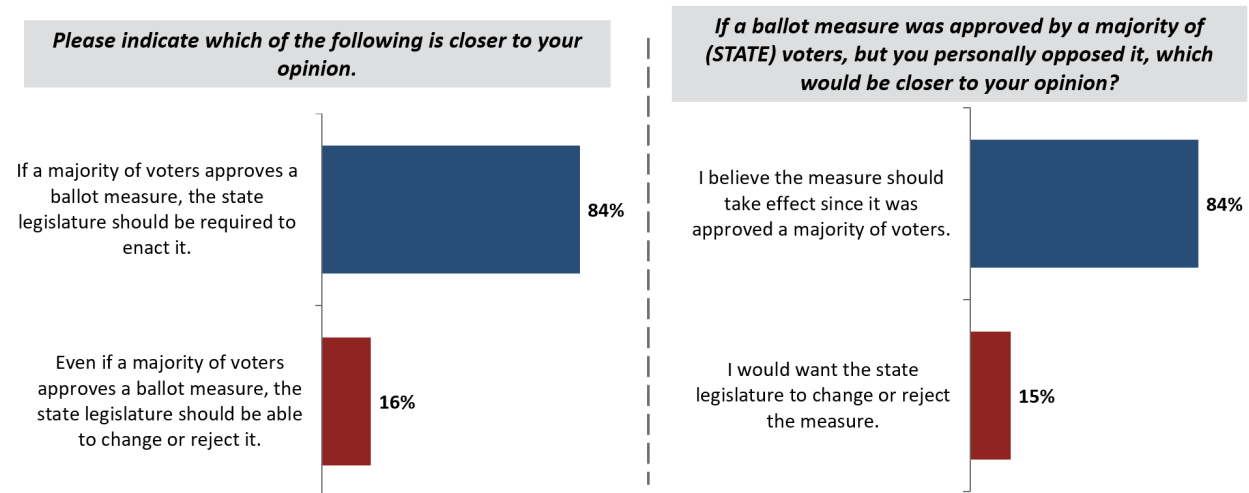
Regardless of partisanship, voters overwhelmingly oppose their state legislature limiting the citizen-initiated policymaking process. At least half of voters in all states surveyed oppose their state legislature limiting the ballot initiative process, with many states reaching two-thirds opposition to limiting the process.

This includes broad support for citizen-initiated policymaking across partisan lines; in addition to Democrats (82% total oppose, 54% strongly oppose), three-quarters of Independents also oppose changing the citizen-initiated policymaking process in their state (76% total oppose, 43% strongly oppose) along with two-thirds of Republicans (61% total oppose, 30% strongly oppose).

In your state, would you support or oppose the state legislature limiting the ballot initiative process?

State	Total Support	Total Oppose	Net Support
OVERALL	29%	71%	-42
SOUTH	34%	65%	-31
Arkansas	27%	73%	-46
Mississippi	40%	58%	-18
Oklahoma	35%	65%	-30
MIDWEST/PLAINS	30%	70%	-40
Missouri	29%	71%	-42
Nebraska	26%	74%	-48
Ohio	34%	66%	-32
WEST	25%	74%	-49
Idaho	32%	67%	-36
Montana	19%	81%	-61
North Dakota	25%	73%	-48
South Dakota	25%	74%	-49
Utah	24%	75%	-51

Regardless of partisanship, voters across the political spectrum also believe that legislators have an obligation to carry out the will of the people when voters approve citizen-initiated measures or amendments, regardless of whether or not the voter specifically agrees with the measure.



Ninety-one percent of Democrats, 78% of Republicans, and 86% of Independents say the legislature should be required to enact a ballot measure if a majority of voters approve it. A similar number (93% of Democrats, 80% of Republicans, and 84% of Independents) say this is true even if they personally opposed the measure.

Recent Ballot Initiative Background

With the exception of Mississippi, where the Mississippi Supreme Court invalidated both the amendment and initiative process in 2021, all states surveyed had at least one high-profile citizen-led initiative or amendment on the ballot in their state in 2022 or 2023. Several continue to face threats to their citizen-led policymaking process leading up to the 2024 election cycle.

- **Arkansas:** In March 2023, the legislature sent a bill to Governor Sarah Sanders increasing the number of counties where petitions must be collected from 15 to 50; the legislature also referred out measures in 2020 and 2022 to significantly restrict ballot initiatives, both of which were defeated
- **Idaho:** In 2023, the legislature attempted to increase the signature requirement to 6% of voters in all 35 legislative districts, up from 18 districts; the measure failed
- **Missouri:** In 2023, the legislature attempted to increase the initiative passage threshold to 57% and may potentially revisit this in 2024
- **Mississippi:** The ballot initiative process was invalidated by the state Supreme Court in 2021 after citizen-initiated medical marijuana amendment passed with 69% Yes vote
- **Montana:** In 2023, legislation passed imposing a \$3,700 fee on ballot initiatives and giving agencies veto power over citizen ballot issues
- **Nebraska:** Organizations are working to challenge the state requirement that signatures come from 5% of voters in 38 counties to make the process more accessible. Additionally, legislators introduced two pieces of restrictive legislation in the first month of the 2024 session: one that

would provide new restrictions on payment to petition circulators and prohibit certain contributions to ballot measure campaigns and another that would change procedures to remove a name from a petition under the Election Act.

- **North Dakota:** The legislature has referred an amendment to the ballot that will establish a single-subject requirement, increase the signature threshold from 4% to 5%, and require proposed initiatives to pass in two consecutive elections.
- **Oklahoma:** In 2023, legislators attempted to increase signature collection thresholds, implement congressional district-based requirements, and raise the threshold for state questions to pass to 66% in addition to restricting them to odd-numbered years.
- **Ohio:** An Attempt to increase the approval threshold to 60% failed on the ballot in August 2023; Some Ohio legislators continue to express their intent to continue challenging the initiative process. In addition, legislators have attempted to significantly limit the implementation of two 2023 ballot initiatives that legalized marijuana and enshrined the right to abortion into the Constitution.
- **South Dakota:** In 2022, the Senate passed a bill limiting the ability for organizations to hire out-of-state petitioners; portions of this legislation that included requiring petitioners to wear badges were struck down. In 2022, voters rejected a legislatively-referred measure that would have imposed a 60% passage threshold for ballot initiatives that increase taxes or fees or that require the state to appropriate \$10 million or more in the first five fiscal years.
- **Utah:** After voters passed an independent redistricting initiative in 2018, the legislature passed a bill in 2020 limiting their power; Utah’s current congressional districts are being challenged in court as a result. In 2023, a bill was introduced in the state legislature that would increase the passage threshold to 60% for initiatives that would impose or increase taxes.

Confidence in Government

When asked how confident they are in any given lawmaking process in their state, voters are more confident in citizen-led policymaking than they are in other forms of government, with 55% of voters saying they are confident in voters directly making a law or policy by passing a ballot initiative or amendment. This is consistent regardless of partisanship, with Republicans (53% confident) and Independents (53%) also most confident in citizen-led policymaking, along with 62% of Democrats.

Lawmaking Method	% Total Confident
Voters directly making a law or policy by passing a ballot initiative	55%
The [STATE] Supreme Court making a law or policy by ruling on existing legislation	40%
Elected officials making laws or policies by passing them in the state legislature	39%
The Governor enacting laws or policies through executive order	24%



Direct Democracy Values

The sentiment that ballot initiatives are an important way for voters to participate in government and that legislators have an obligation to uphold that sentiment when votes pass initiatives, carries through when voters are asked about a variety of values statements around direct democracy concepts.

Voters strongly disagree with the idea that elected representatives are better equipped to make public policy than voters, with only 27% saying they strongly agree with that statement and 73% saying they disagree.

They also almost universally agree that voters should have the right to propose and pass laws through a citizen-initiated process (90% agree), that the process is an important way for citizens to pass policies they care about most (92% agree), and that legislators have an obligation to carry out the will of the people when voters approve a ballot initiative or measure (93%).

Statement	% Total Agree	% Strongly Agree
Legislators have an obligation to carry out the will of the people if a majority of voters approve a ballot initiative or measure.	93%	69%
Politicians making it harder for voters to propose and pass ballot measures undermines our democracy.	86%	58%
Voters should have the right to propose and pass laws through a citizen initiative process.	90%	56%
The ballot initiative process is a way for citizens to pass policies that they care about most.	92%	50%
Ballot initiatives are an important check on legislative power.	89%	48%
The ballot initiative process has been corrupted by special interests.	81%	43%
Ballot initiatives take power out of the hands of out-of-touch elites and put it in the hands of voters.	85%	39%
Elected representatives are more informed and better equipped to make changes to public policy than voters.	27%	4%

Protecting Citizen-Led Policymaking

When it comes to their views of the current process, only one-in-ten (11%) voters say their state’s citizen-led policymaking process is too easy, compared to a third (30%) who the process is “too difficult.” While Republicans are slightly more likely to say the process is too easy, that number still only reaches 17%, compared to 4% of Democrats and 8% of Independents.

	Overall	Democrats	Republicans	Independents
Too Easy	11%	4%	17%	8%
About Right	58%	57%	59%	55%
Too Difficult	30%	39%	21%	35%



Two-thirds of voters say they “strongly oppose” (65%) allowing state legislatures to block, limit, or reverse a ballot initiative after a majority of voters approve it at the ballot box. Voters strongly oppose proposals that would allow explicitly partisan entities to influence initiatives and making signature-gathering requirements more onerous.

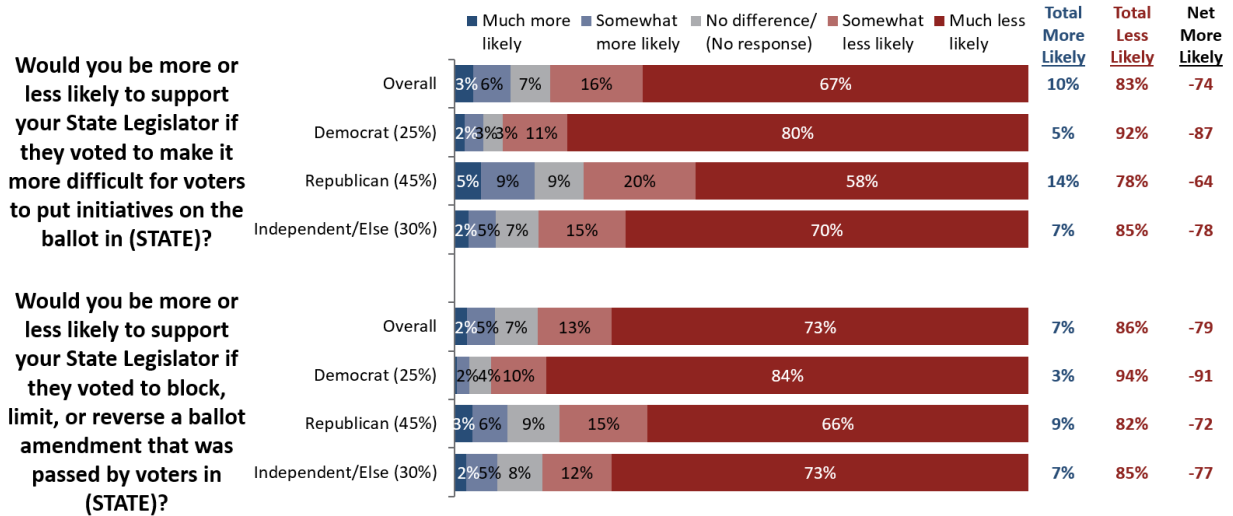
Policy	% Total Oppose	% Strongly Oppose
Allowing state legislatures to block, limit, or reverse a ballot initiative after a majority of voters approve it	86%	65%
Allowing partisan elected officials to draft the title and description of citizen initiatives	73%	41%
Changing signature gathering laws, such as increasing the number of signatures required or requiring signatures to come from specific geographies instead of allowing a general statewide collection	68%	42%

Opposition to allowing state legislatures to block, limit, or reverse ballot initiatives after a majority of voters approve them is consistently high across all states – at least eight-in-ten voters in all states survey oppose, with opposition reaching 92% in Arkansas. This is also true across party lines, with 83% of Republicans, 84% of Independents, and 95% of Democrats opposing state legislatures being able to reverse voter-approved initiatives.

State	Total Support	Total Oppose	Net Support
Overall	14%	86%	-73
SOUTH	13%	87%	-75
Arkansas	8%	92%	-83
Mississippi	17%	83%	-66
Oklahoma	13%	87%	-75
MIDWEST/PLAINS	16%	84%	-69
Missouri	16%	84%	-68
Nebraska	13%	87%	-75
Ohio	18%	82%	-64
WEST	13%	87%	-74
Idaho	11%	89%	-78
Montana	11%	89%	-79
North Dakota	13%	87%	-73
South Dakota	17%	83%	-66
Utah	12%	88%	-75

Supporting efforts to overturn citizen-led, voter-approved policy, or attempting to limit the citizen-led policymaking process, is also not a sure bet for legislators facing election.

Nearly eight-in-ten voters say they would be less likely to support a state legislator who attempted to overturn voter-approved policies (86% less likely to support) or voted to make citizen-led policymaking more inaccessible in their state (83% less likely to support). Both of these results include wide margins among Republicans, independents, and Democrats.



Methodology

EMC Research completed an online, email- and text-to-web poll of 230 registered voters in Arkansas, Idaho, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, and Utah between November 27 and December 3, 2023. Interviews were conducted in English. The margin of error for overall results is ±6.46 percentage points.

