



Attachment 3
S 1350
2-24-2020
Rep. Wendy Horman

Preparation of fiscal analysis

Fiscal impact statements are an important component of voter education on initiative proposals. Voters often do not have the budgetary perspective necessary to make an informed decision about an initiative. Often, they enact a measure and it is left to the legislature to determine where the money will come from, which can mean redirecting funds from other programs.

It is currently the law in 13 states that, if a proposed initiative will have a monetary effect on the state's budget, a fiscal impact statement must be drafted. A legislative fiscal agency generally writes it, and it appears on the petition, in the voter info pamphlet, and/or on the ballot.

One may argue that, even if voters have fiscal information, it is meaningless unless the public knows how big the budget is. Simply attaching a dollar amount to a measure may not provide enough information. To make a fiscal statement meaningful, it must be considered in the context of the fiscal resources of the state. Suggestions include printing pie charts or graphs to illustrate the fiscal impact of the proposed measure in the context of state resources, and including a general statement in the Voters' Pamphlet that lists the estimated financial effects of each ballot measure upon the general fund and the combined effect if all were to be approved.

	Who Prepares It	Where It Is Published	Cite
Arizona	Joint Legislative Budget Cmte. (after measure qualifies for ballot)	Voter information pamphlet	Ariz. Rev. Stat. §19-123
California	Dept. of Finance, Joint Legislative Budget Cmte., and Attorney General	Petition, voter information pamphlet, and ballot (included in title prepared by Attorney General)	Cal. Election Code, §9005 Cal. Government Code, §12172
Colorado	Director of Research of the Legislative Council	Voter information pamphlet	Colo. Rev. Stat. §1-40-124.5
Florida	Not yet determined by law.	Not yet determined by law.	Fla. Const. Article XI, Section 5

Mississippi	Legislative Chief Budget Officer	Petition, voter information pamphlet, and ballot (included in text)	Miss. Code Ann. §23-17-1 and 23-17-45 Const. §273
Missouri	State Auditor and Attorney General	Petition, voter information pamphlet, and ballot (included in title)	Mo. Rev. Stat. §116.170 and 116.175
Montana	Budget Director	Petition, ballot and voter pamphlet	Mont. Code Ann. §13-27-312
Nevada	Secretary of State, in consultation with the Fiscal Analysis Division of the Legislative Counsel Bureau	Ballot, voter information pamphlet	Nev. Rev. Stat. §293.250
Ohio	Tax Commissioner	Voter information pamphlet	Ohio Rev. Code Ann. §3519.04
Oregon	Secretary of State, Treasurer, Director of Dept. of Administrative Services, and Director of Dept. of Revenue	Voter information pamphlet, ballot	Or. Rev. Stat. §250.125 and 250.127
Utah	Office of Legislative Research	Voter information pamphlet	Utah Code Ann. §20A-7-701 and 20A-7-703
Washington	Office of Financial Management, in consultation with the Secretary of State, Attorney General, and any other appropriate state or local agency	Voter information pamphlet, Secretary of State Web site	Wash. Rev. Code §29.79.075
Wyoming	Secretary of State and/or initiative sponsors*	A newspaper of general circulation in state and ballot	Wyo. Stat. §22-24-105

*If the final estimated fiscal impact by the Secretary of State and the final estimated fiscal impact by the committee of sponsors differ by more than twenty-five thousand dollars (\$25,000.00), the Secretary of State's comments under this section and the ballot proposition (published in newspaper and ballot) shall contain an estimated range of fiscal impact reflecting both estimates.

Source: National Conference of State Legislatures, April 2002.

Additional Resources



Initiative and Referendum States

Initiative – a law or constitutional amendment introduced by citizens through a petition process either to the legislature or directly to the voters.

Popular Referendum – a process by which voters may petition to demand a popular vote on a new law passed by the legislature.

Initiative and Referendum States

State	Statutes		Constitution
	Initiative	Popular Referendum	Initiative
Alaska	I*	Yes	None
Arizona	D	Yes	D
Arkansas	D	Yes	D
California	D	Yes	D
Colorado	D	Yes	D
Florida	None	No	D
Idaho	D	Yes	None
Illinois	None	No	D
Maine	I	Yes	None
Maryland	None	Yes	None
Massachusetts	I	Yes	I

		Statutes		Constitution
Michigan	I		Yes	D
Mississippi	None		No	I
Missouri	D		Yes	D
Montana	D		Yes	D
Nebraska	D		Yes	D
Nevada	I		Yes	D
New Mexico	None		Yes	None
North Dakota	D		Yes	D
Ohio	I		Yes	D
Oklahoma	D		Yes	D
Oregon	D		Yes	D
South Dakota	D		Yes	D
Utah	D & I		Yes	None
Washington	D & I		Yes	None
Wyoming	I*		Yes	None
U.S. Virgin Islands	I		Yes	I

D – *Direct Initiative*; proposals that qualify go directly on the ballot

I – *Indirect Initiative*; proposals are submitted to the legislature, which has an opportunity to act on the proposed legislation. The initiative question will subsequently go on the ballot if the legislature rejects it, submits a different proposal or takes no action.

I* -- Alaska and Wyoming's initiative processes are usually considered indirect. However, instead of requiring that an initiative be submitted to the legislature for action, they only require that an initiative cannot be placed on the ballot until after a legislative session has convened and adjourned.

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