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## U.S. State Ballot Initiatives Regarding Abortion in 2024

(Updated April 10, 2024)

In June 2022, U.S. Supreme Court overturned the 1973 *Roe v. Wade* and 1992 *Planned Parenthood v. Casey* decisions ruling the U.S. Constitution does not guarantee a federal right to abortion. This decision gave the issue of abortion over to the states to regulate.

Now, citizens and state lawmakers are looking to their own state constitutions to decide the issue. In 2024, at least 13 states have or had citizen-led or legislative efforts underway to amend their state constitutions or enact voter-approved statutes regarding abortion. Expectedly, the people behind these initiatives are taking different sides. Initiatives in only four states are attempting to guarantee the right to life for unborn babies or declare no right to abortion (Colorado, Iowa, Nebraska, and Pennsylvania). The other states have ballot initiatives which are attempting to protect abortion access or enshrine abortion as a state constitutional right (Arizona, Arkansas, Colorado, Florida, Iowa, Maine, Missouri, Montana, Nevada, and South Dakota). Notably, both Colorado and Nebraska have separate and opposing amendments.

In most states, amending a constitution requires voter approval. The pathway for a proposed constitutional amendment to get on the ballot first requires a petition with a certain number of voter signatures or legislative votes. Once the signatures are verified by the state's certifying authority, the proposed amendment then can go on the ballot for voters to ratify or reject. Currently, only Maryland has completed the process and **will** have the abortion issue on its November 2024 ballot. As for the other states, they have yet to achieve or certify the requisite number of signatures or votes, but they have varying deadlines later this year to garner them.

Of note, in the last two years since *Roe* was overturned, voters in California, Michigan, Vermont, and most recently Ohio have already approved constitutional amendments to make abortion

access a right in their states. In 2018, voters in Alabama, Louisiana, and West Virginia have also amended their constitutions. Alabama guaranteed a right to life for the unborn and both Louisiana and West Virginia declared there was no right to abortion.

## By the Numbers:

- **States that have a proposed state constitutional amendment regarding abortion that may appear on the November 2024 ballot: 11**  
Arizona, Arkansas, Colorado, Florida, Iowa, Missouri, Montana, Nebraska, Nevada, Pennsylvania, and South Dakota
- **States where a proposed constitutional amendment regarding abortion will appear on the November 2024 ballot: 1**  
Maryland
- **States where a proposed state constitutional amendment regarding abortion has been defeated: 1**  
Maine – Failed to achieve a two-thirds majority vote in the state Senate.
- **States already with a constitutional amendment protecting the right to abortion: 4**  
(California, Michigan, Ohio, and Vermont)
- **States already with a constitutional amendment guaranteeing a right to life for the unborn or declaring no right to an abortion: 3**  
(Alabama, Louisiana, and West Virginia)

## The 13 States where abortion may or will be on the ballot in 2024:

State	Ballot Initiative	Deadline	Purpose
<b>Arizona</b>	<a href="#">Arizona Abortion Access Act</a> Constitutional Amendment (citizen-initiated)	383,933 signatures by July 4, 2024	<b>Pro-abortion:</b> To establish a fundamental right to abortion before viability.
<u>Pathway to approval or rejection:</u> Once on the ballot, a simple majority voting “yes” amends the Arizona constitution. A simple majority voting “no” rejects the amendment.			
<u>Status:</u> Pending signature verification			

State	Ballot Initiative	Deadline	Purpose
<b>Arkansas</b>	<a href="#">The Arkansas Reproductive Healthcare Amendment</a> Constitutional Amendment (citizen-initiated)	90,704 signatures by July 5, 2024	<b>Pro-abortion:</b> To protect abortion access within 18 weeks from conception.
<u>Pathway to approval or rejection:</u> Once on the ballot, a simple majority voting “yes” amends the Arkansas constitution. A simple majority voting “no” rejects the amendment.			
<u>Status:</u> Pending public signatures			
<b>Colorado</b>	<a href="#">Equal Protection of Every Living Child in Colorado</a> Constitutional Amendment (citizen-initiated)	124,238 signatures by Aug. 5, 2024	<b>Pro-life:</b> To define a “living human child” as a human being beginning at the moment of conception and to prohibit abortion.
<b>Colorado</b>	<a href="#">Right to Abortion Initiative</a> Constitutional Amendment (citizen-initiated)	124,238 signatures by Aug. 5, 2024	<b>Pro-abortion:</b> To provide a constitutional right to abortion and a right to health insurance coverage for abortion.
<u>Pathway to approval or rejection:</u> Once on the ballot, a 55 percent majority voting “yes” amends the Colorado constitution. A simple majority voting “no” or less than 55 percent voting “yes” rejects the amendment.			
<u>Status:</u> Pending public signatures			
<b>Florida</b>	Florida Amendment 4: <a href="#">Amendment to Limit Government Interference with Abortion</a> Constitutional Amendment (citizen-initiated)	891,523 signatures by Feb. 1, 2024	<b>Pro-abortion:</b> To provide a constitutional right to abortion before fetal viability and dictate that no law shall prohibit, penalize, delay, or restrict abortion.
<u>Pathway to approval or rejection:</u> Despite its deceptive and misleading language, the Florida Supreme Court ruled on April 1, 2024, that this proposed amendment could go on the November 2024 ballot as written. Signatures still need to be verified. Once on the ballot, a supermajority of 60 percent voting “yes” amends the Florida constitution. A simple majority voting “no” or less than 60 percent voting “yes” rejects the amendment.			
<u>Status:</u> Pending signature verification			
<b>Iowa</b>	<a href="#">House Joint Resolution 5</a> Constitutional Amendment (legislatively referred)	Must be voted on in the 2023-2024 legislative session	<b>Pro-Life:</b> To defend and protect unborn children and to declare the state constitution does not grant a right to abortion or require public funding for abortion.
<u>Pathway to approval or rejection:</u> Iowa does not give citizens a ballot initiative pathway to amend the state constitution. A constitutional amendment must be referred to voters by the legislature. A simple			

State	Ballot Initiative	Deadline	Purpose
<p>majority vote is required in both the Iowa House and Senate in <u>two successive legislative sessions</u> before an amendment can go before the voters. House Joint Resolution 5 was passed by both chambers in the 2021-2022 session and must be passed again in the 2023-2024 session to be referred to voters in 2024. Once on the ballot, a simple majority voting “yes” amends the Iowa constitution. A simple majority voting “no” rejects the amendment.</p>			
<p><u>Status:</u> Pending a legislative vote</p>			
<p><b>Maine</b> <b><u>REJECTED</u></b></p>	<p><a href="#">Amendment to the Constitution of Maine to Protect Personal Reproductive Autonomy</a> Constitutional Amendment (Legislatively referred)</p>	<p>Must be voted on in the 2023-2024 legislative session</p>	<p><b>Pro-abortion:</b> To provide a right to every person the right to “personal reproductive autonomy.”</p>
<p><u>Pathway to approval or rejection:</u> Must pass both the House and Senate with a two-thirds majority during the current legislative session to be referred to voters in 2024. Once on the ballot, a simple majority voting “yes” amends the Maine constitution. A simple majority voting “no” rejects the amendment.</p>			
<p><u>Status:</u> <b>REJECTED.</b> Maine’s pro-abortion amendment failed to achieve a two-thirds majority vote in the Senate.</p>			
<p><b>Maryland</b> <b><u>APPROVED</u></b></p>	<p><a href="#">Senate Bill 798</a> Declaration of Rights – Right to Reproductive Freedom Constitutional Amendment (Legislatively referred)</p>	<p><u>Will</u> be on the November 2024 ballot</p>	<p><b>Pro-abortion:</b> To establish that every person has a fundamental right to reproductive freedom and to prohibit the state from denying, burdening, or abridging that right without a compelling state interest.</p>
<p><u>Pathway to approval or rejection:</u> A simple majority voting “yes” amends the Maryland constitution. A simple majority voting “no” rejects the amendment.</p>			
<p><u>Status:</u> <b>APPROVED and will appear on the ballot.</b></p>			
<p><b>Missouri</b></p>	<p><a href="#">The Right to Reproductive Freedom Initiative</a> Constitutional Amendment (citizen-initiated)</p>	<p>171,592 signatures by May 5, 2024</p>	<p><b>Pro-abortion:</b> To provide the right for reproductive freedom and the right to make decisions about all matters relating to prenatal care, childbirth, postpartum care, birth control, abortion care, miscarriage care, and respectful birthing conditions.</p>
<p><u>Pathway to approval or rejection:</u> Once on the ballot, a simple majority voting “yes” amends the Missouri constitution. A simple majority voting “no” rejects the amendment.</p>			
<p><u>Status:</u> Pending public signatures</p>			

State	Ballot Initiative	Deadline	Purpose
<b>Montana</b>	<a href="#">Ballot Issue 14</a> Constitutional Amendment (Citizen-initiated)	60,359 signatures by June 21, 2024	<b>Pro-abortion:</b> To provide a right to abortion and prohibit the government from denying or burdening the right to abortion before fetal viability.
<u>Pathway to approval or rejection:</u> Once on the ballot, a simple majority voting “yes” amends the Montana constitution. A simple majority voting “no” rejects the amendment.			
<u>Status:</u> Pending public signatures			
<b>Nebraska</b>	<a href="#">Protect the Right to Abortion</a> Constitutional Amendment (Citizen-initiated)	124,465 signatures by July 5, 2024	<b>Pro-abortion:</b> To provide the fundamental right to abortion without interference from the state until fetal viability.
<b>Nebraska</b>	<a href="#">Protect Women and Children</a> Constitutional Amendment (Citizen-initiated)	124,465 signatures by July 5, 2024	<b>Pro-life:</b> To protect unborn children after the first trimester except in a medical emergency or in a pregnancy resulting from rape of incest.
<u>Pathway to approval or rejection:</u> Once on the ballot, a simple majority voting “yes” amends the Nebraska constitution. A simple majority voting “no” rejects them.			
<u>Status:</u> Pending public signatures			
<b>Nevada</b>	<a href="#">The Nevada Reproductive Rights Amendment</a> Constitutional Amendment (Citizen-initiated)	102,362 signatures by June 26, 2024	<b>Pro-abortion:</b> To provide the fundamental right to abortion until fetal viability and prohibit the government from denying, burdening, or infringing the right to abortion without a compelling state interest.
<u>Pathway to approval or rejection:</u> Once on the ballot, the amendment must be approved by a simple majority vote in <u>two consecutive election cycles</u> . A simple majority voting “yes” in 2024 will allow the amendment to be on the 2025 ballot. A second simple majority voting “yes” in 2025 amends the Nevada constitution. A simple majority voting “no” in 2024 rejects the amendment.			
<u>Status:</u> Pending public signatures			
<b>Pennsylvania</b>	<a href="#">Senate Bill 106 (Joint Resolution)</a> Constitutional Amendment (Legislatively referred)	Voted on by 2023-2024 legislative session	<b>Pro-life:</b> To state there is no right to taxpayer-funded abortion or any other right to abortion.
<u>Pathway to approval or rejection:</u> A simple majority vote is required in both the Pennsylvania House and Senate in <u>two successive legislative sessions</u> before an amendment can go before the voters. Seante Bill 106 was passed by both chambers in the 2021-2022 session and must be passed again in the 2023-2024			

State	Ballot Initiative	Deadline	Purpose
<p>session to be referred to voters in 2024. Once on the ballot, a simple majority voting “yes” amends the Pennsylvania constitution. A simple majority voting “no” rejects the amendment.</p>			
<p><u>Status:</u> Pending a legislative vote</p>			
<p><b>South Dakota</b></p>	<p><a href="#">Right to Abortion</a> Constitutional Amendment (Citizen-initiated)</p>	<p>35,017 signatures by May 7, 2024</p>	<p><b>Pro-abortion:</b> To provide a constitutional right to abortion in the first trimester and to provide a legal framework to regulate abortion after the first trimester.</p>
<p><u>Pathway to approval or rejection:</u> Once on the ballot, a simple majority voting “yes” amends the South Dakota constitution. A simple majority voting “no” rejects the amendment.</p>			
<p><u>Status:</u> Pending public signatures</p>			