

Election Law @ Moritz

STATES WITH TERM LIMITS ON STATE LEGISLATORS

		Term Limit	Break in Service ¹	Year of Impact	Year Adopted	Means/Adopt.	Note
Arizona	House	8	2	2000	1992	Constitution	
	Senate	8	2	2000	1992		
Arkansas	House	6	Lifetime	1998	1992	Constitution	
	Senate	8	Lifetime	2000	1992		
California	House	6	Lifetime	1996	1990	Constitution	
	Senate	8	Lifetime	1998	1990		
Colorado	House	8	4	1998	1990	Constitution	
	Senate	8	4	1998	1990		
Florida	House	8	2	2000	1992	Constitution	
	Senate	8	2	2000	1992		
Idaho	House	8/15	Contingent	* ²	1994	Statute	Repealed
	Senate	8/15	Contingent	(see note above)	1994		
Louisiana	House	12	4	2007	1995	Constitution	
	Senate	12	4	2007	1995		
Maine	House	8	2	1996	1993	Statute	
	Senate	8	2	1996	1993		
Mass.	House	8	2	* ³	1994	Statute	Statute declared unconstitutional ⁴
	Senate	8	2	(see note above)	1994		
Michigan	House	6	Lifetime	1998	1992	Constitution	
	Senate	8	Lifetime	2002	1992		
Missouri	House	8	Lifetime	2002	1992	Constitution	
	Senate	8	Lifetime	2002	1992		
Montana	House	8/16	Contingent	2000	1992	Constitution	Can serve only 8 in every 16 yrs
	Senate	8/16	Contingent	2000	1992		
Nebraska		8	4	2008	2000	Constitution ⁵	NE legislature is unicameral
Nevada	House	12	Lifetime	2010	1994	Constitution	
	Senate	12	Lifetime	2010	1994		
Ohio	House	8	4	2000	1992	Constitution	
	Senate	8	4	2000	1992		
Oklahoma	House	12 yrs. total in leg.	Lifetime	2004	1990	Constitution	
	Senate	12 yrs. total in leg.	Lifetime	2004	1990		
Oregon	House	6	Lifetime	1998	1992	Constitution	Invalidated ⁶
	Senate	8	Lifetime	2002	1992		
S. Dakota	House	8	2	2000	1992	Constitution	
	Senate	8	2	2000	1992		
Utah	House	12	2	* ⁷	1994	Statute	Repealed
	Senate	12	2	(see note above)	1994		
Washington	House	14/20 ⁸	Contingent	* ⁹	1992	Statute	Statute declared unconstitutional ¹⁰
	Senate	14/20	Contingent	(see note above)	1992		
Wyoming	House	12/24 ¹¹	Contingent	* ¹²	1992	Statute	Statute declared unconstitutional ¹³
	Senate	12/24	Contingent	(see note above)	1992		

Sources: Gideon Doron & Michael Harris, TERM LIMITS 76-82 (2001); John M. Carey, et al., TERM LIMITS IN THE STATE LEGISLATURES 4-5 (2000); Steven F. Huefner, *Term Limits in State Legislative Elections: Less Value for More Money?*, 79 Ind. L.J. 427, 441-42 & nn. 81-91 (2004).

¹ The length of time that one must remain out of that office before being eligible to run again.

² Until its repeal in early 2002, Idaho's term limits measure would have taken effect in 2002.

³ Until it was found unconstitutional, Massachusetts' term limits measure would have taken effect in 2002.

⁴ See *League of Women Voters v. Sec'y of the Commonwealth*, 681 N.E.2d 842, 846 (Mass. 1997). "Efforts to obtain term limits by a constitutional amendment foundered in 1992 because of the refusal of the Legislature in joint session to take final action on such a proposal as the Constitution of the Commonwealth directed").

⁵ An earlier statutory term limits measure adopted in 1994 had been found unconstitutional.

⁶ See *Lehman v. Bradbury*, 37 P.3d 989 (Or. 2002); Steven F. Huefner, *Term Limits in State Legislative Elections: Less Value for More Money?*, 79 Ind. L.J. 427, 442 (2004) ("[Oregon Supreme Court] invalidated its term limits measure on the technicality that, although itself a constitutional amendment, the measure had been adopted in violation of the state constitution's single subject rule").

⁷ Until its repeal in 2003, Utah's term limits measure would have taken effect in 2006.

⁸ No one could serve more than 14 of 20 years combined in the collective legislative body.

⁹ Until it was found unconstitutional, Washington's term limits measure would have first taken effect in the state house in 1998 and in the state senate in 2000.

¹⁰ See *Gerberding v. Munro*, 949 P.2d 1366, 1374-77 (Wash. 1998).

¹¹ Representatives were not permitted to serve more than 12 out of 24 years in the legislature.

¹² Until it was found unconstitutional, Wyoming's term limits measure would have first taken effect in 2004.

¹³ See *Cathcart v. Meyer*, 88 P.3d 1050 (Wyo. 2004).