

Require a double majority to pass ballot propositions

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Key Points

- In order for the Utah state legislature to pass a bill and send it to the governor, the bill has to get a majority of all eligible votes in both houses of the legislature—38 in the House and 15 in the Senate.
- Currently, a [ballot proposition](#) can be passed by a small number of eligible voters. In fact, just one person voting could pass it should no other voters cast ballots.
- A double majority requires that a majority of all eligible voters vote and that the majority of those voting support the proposition in order for it to pass. This still allows as few as 25% of eligible voters to pass a ballot proposition.
- A double majority requirement would encourage higher voter turnout and ensure wider public support for ballot propositions that do pass.

In order for the Utah state legislature to pass a bill, including a tax increase, the bill has to get a majority of all eligible votes in both the House (38) and Senate (15). And then the governor must sign it.

However, no minimum voter turnout is required in order for voters to pass ballot propositions including citizen initiatives, multi-million dollar tax increases or debt issues. In fact, if only one voter were to cast a ballot in an election with citizen initiatives on the ballot, that single voter could pass a multi-million dollar carbon tax. That single voter could eliminate all concealed carry permits. That single voter could ban abortions in Utah. And that single voter could require all Utah law enforcement agencies to enroll in the federal government's 287(g) program in order to help enforce federal immigration laws.

Granted, no election will have just a single voter turnout; however, elections routinely have far less than a 50% eligible voter turnout with the turnout in some off-year elections being closer to 10%. In the latter case, just 5% of eligible voters plus one can decide an issue and since only about 60% of eligible voters are registered to vote, 3% of all registered voters could decide the issue.

A double majority would require that 50% of all eligible voters actually vote and that the majority of those voting support the ballot proposition in order for it to pass. If that turnout threshold were not met, then the ballot proposition would fail even if those voting gave it a majority of their votes.

Requiring a double majority of eligible voters for ballot propositions would encourage voter registration and higher voter turnout. In addition, it would stop proponents of ballot initiatives that lack widespread support from putting them on the ballot in low turnout elections so a well organized minority can pass them. A double-majority would, therefore, help ensure that ballot propositions that do pass have widespread public support.

It is important to note that under this proposal as few as 25% of eligible voters plus one can still pass a ballot proposition. This is much less than it takes for the legislature to pass a bill.

The following table compares the current system with that of a double majority. It provides two scenarios—one based on a double majority of eligible voters and the second based on a double majority of the smaller number of registered voters. (This example assumes that 60% of eligible voters are registered to vote. Numbers of registered voters and eligible voters used in the table are notional and do not reflect actual figures.)

In summary, the current system allows just one registered voter to pass a ballot proposition. A double majority ensures that a minimum of 50% of all eligible voters vote and that the majority of them vote for the ballot proposition in order for it to pass. Thus, even under this scenario, just 25% of eligible voters would be able to pass a ballot proposition which is far below the threshold required to pass a bill in the legislature.

Comparison - Current and with Double Majority									
Category of Voters (Eligible/Registered)	Number of Eligible and Registered Voters	50% Majority of Eligible or Registered Voters	Actual Voters in this Election	Votes Cast in Favor of the Proposition	% of Votes Cast in Favor of the Proposition	Actual % Eligible/Registered Voter Turnout	% of all Eligible/Registered Voters Voting in Favor of Proposition	Meets 50% Eligible Voter Turnout Threshold	Pass/Fail
Current Situation									
Fail - 45% of votes cast in favor but with only 12% eligible and 20% registered voter turnout									
Eligible Voters	1,666,666	833,333	200,000	90,000	45%	12%	5.40%	No	Fail
Registered Voters	1,000,000	500,000	200,000	90,000	45%	20%	9.00%	No	Fail
Pass - 55% of votes cast in favor but with only 12% eligible and 20% registered voter turnout; passed by 6.6% eligible and 11% of registered voters									
Eligible Voters	1,666,666	833,333	200,000	110,000	55%	12%	6.60%	No	Pass
Registered Voters	1,000,000	500,000	200,000	110,000	55%	20%	11.00%	No	Pass
Double Majority									
Double Fail - Only 48% of votes cast in favor and less than 50% eligible (24%) and registered voter turnout (40%)									
Eligible Voters	1,666,666	833,333	400,000	190,000	48%	24%	11.40%	No	Fail
Registered Voters	1,000,000	500,000	400,000	190,000	48%	40%	19.00%	No	Fail
Single Fail - Majority of votes cast in favor (55%) but less than 50% turnout of both eligible voters (24%) and registered voters (40%)									
Eligible Voters	1,666,666	833,333	400,000	220,000	55%	24%	13.20%	No	Fail
Registered Voters	1,000,000	500,000	400,000	220,000	55%	40%	22.00%	No	Fail
Pass - Majority of votes cast in favor (53%) and over 50% turnout of both eligible (51%) and registered voters (85%); passed by 27% eligible and 45% registered voters									
Eligible Voters	1,666,666	833,333	850,000	450,000	53%	51%	27.00%	Yes	Pass
Registered Voters	1,000,000	500,000	850,000	450,000	53%	85%	45.00%	Yes	Pass

DEFINITIONS:

Eligible Voter means a United State citizen meeting state residency requirements who is at least 17 years old and will be 18 years old before the general election.

Registered Voter means United States citizen who has recorded their name in the voting register and is entitled legally to cast a vote.

Active voter means a registered voter who has not been classified as an inactive voter by the county clerk.

Ballot proposition means a question, issue, or proposal that is submitted to voters on the ballot for their approval or rejection including:

- (a) an opinion question specifically authorized by the Legislature;
- (b) a constitutional amendment;
- (c) an initiative;
- (d) a referendum;
- (e) a bond proposition;
- (f) a judicial retention question;
- (g) an incorporation of a city or town; or
- (h) any other ballot question specifically authorized by the Legislature.