Ohio Voted on Abortion. Next Year, 11 More States Might, Too.

The push comes after last year's string of ballot measure wins for abortion rights in six states.

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As activists parse the results of Tuesday's vote to protect abortion rights in Ohio, Jamie Corley is already well on her way to putting a similar measure in front of Missouri voters next year.

Corley, a former Republican congressional staffer, filed not one, but six potential ballot measures in August to roll back her state's near-total ban on abortion, triggered by the U.S. Supreme Court's June 2022 decision to end federal protections for terminating pregnancies.

"I can't emphasize enough how dangerous it is to be pregnant in Missouri right now," Corley said at a restaurant near her home in this St. Louis suburb. "There is a real urgency to pass something to change the abortion law."

Missouri is one of at least 11 states considering abortion-related ballot measures for next year, part of the wave of such actions since the Supreme Court's decision on Dobbs v. Jackson Women's Health Organization. And while November 2024 is still a year away, the groundwork for those campaigns has been in motion for months, sometimes years.

In Iowa, for example, efforts to pass a state constitutional amendment declaring no right to abortion began in 2021, although the legislature has yet to finish the process. In Colorado, competing initiatives — one to enshrine abortion protections and one to ban abortion — could potentially appear on the same ballot if supporters of both manage to garner enough signatures. And in Missouri, potential ballot measures to increase access to abortion have been bogged down in litigation for months, delaying the collection of signatures and highlighting internecine conflicts on both sides of the issue.

"In a way, I think this is what the Supreme Court wanted," said John Matsusaka, executive director of the Initiative and Referendum Institute at the University of Southern California. "They said, 'The people ought to figure this out.'"

The push for sending the contentious issue to voters comes on the heels of last year's string of ballot measure wins for abortion rights in six states: California, Kansas, Kentucky, Michigan,

Montana, and Vermont. And on Tuesday, Ohio voters broadly passed a measure to establish a state constitutional right to abortion.

Citizen-initiated ballot measures in the 26 states that allow them are often prompted by legislatures that stray far from public opinion, Matsusaka said. Fourteen states have banned abortion since the Dobbs decision, despite polling suggesting those bans are unpopular. Two-thirds of adults expressed concern in a May KFF poll, for example, that such bans could make it difficult for doctors to safely treat patients.

But in states where abortion is legal, a push is coming from the other direction.

“Colorado was actually the first state, or one of the first states, to provide abortion on demand,” said Faye Barnhart, one of the anti-abortion activists who filed petitions to restrict abortions there. “We were pioneers in doing the wrong thing, and so we’re hopeful that we’ll be pioneers in turning that around to do the right thing.”

A similar effort in Iowa, meanwhile, is up in the air. The legislature in 2021 approved a proposed amendment declaring the Iowa Constitution does not protect abortion rights. But the measure needs to pass the Republican-controlled legislature again to get on the ballot. Lawmakers declined to take up the matter during this year’s legislative session but could do so in 2024. A poll published by the Des Moines Register in March found that 61% of Iowans think abortion should be legal in all or most cases.

If Missouri’s abortion ban is indeed rolled back next year, it would mark the fourth time since 2018 that the state’s voters rebuked their Republican leaders, who have controlled the governorship and both legislative chambers since 2017. Recent initiative petitions have succeeded in raising the minimum wage, legalizing marijuana, and expanding Medicaid, the public insurance program for people with low incomes and disabilities.

The success of those campaigns doesn’t mean the petition process is easy, said Daniel Smith, a political science professor at the University of Florida who specializes in ballot initiatives. Collecting signatures is costly and often requires contracting with what he called the “initiative industrial complex.”

An analysis by Ballotpedia found that the cost per required signature collected for initiative campaigns in 2023 averaged $9.38. At that rate, it would cost more than $1.6 million to get an initiative on the ballot in Missouri — where around 172,000 signatures are needed. And that’s before adding in the cost of running campaigns to persuade voters to choose a side.

In the two months leading up to November’s vote in Ohio, the campaign to protect abortion rights raised about $29 million, and the opposing campaign raised nearly $10 million, according to The Associated Press. Much of the funding came from out-of-state groups, such as the progressive Sixteen Thirty Fund in Washington, D.C., and an Ohio organization associated with the national anti-abortion group Susan B. Anthony Pro-Life America.

And more money will pour into the next efforts: Last month, Illinois Gov. J.B. Pritzker, a billionaire Democrat whose family owns the Hyatt hotel chain, launched the Think Big America organization to help fund abortion-rights ballot measures across the country.

Still, the cost of launching a ballot campaign is a daunting obstacle, said Emily Wales, president and CEO of Planned Parenthood Great Plains, which has clinics in Missouri, Kansas, Oklahoma, and Arkansas. During last year's vote in Kansas, for example, the competing campaigns raised over $11.2 million combined. That may be a factor in the absence of a ballot measure in Oklahoma despite momentum for one last year.

"It's not just: Can you pull together a coalition, educate voters, and get them out? But: Can you also raise enough to combat what has been years of misinformation, miseducation, and really shaming and stigmatizing information about abortion?" Wales said.

Polling in Missouri indicates voters statewide, including many Republicans, might back abortion rights in certain circumstances.

That's what led Corley to file her petitions in August despite a political action committee called Missourians for Constitutional Freedom having already filed 11 proposals to roll back the state's abortion ban. Corley said her proposals are narrower to attract support from sympathetic Republicans like herself. They provide exemptions for rape, incest, fetal abnormalities, and the health of the mother. Three would prevent restrictions on abortions for the first 12 weeks of pregnancy.

The proposals from Missourians for Constitutional Freedom would allow abortion later in pregnancy. Some versions allow regulations on abortions only after 24 weeks, while others specify after "fetal viability" or don't give any time frame.

One group withholding support from any effort so far is Planned Parenthood of the St. Louis Region and Southwest Missouri, the state's other main Planned Parenthood affiliate and the final clinic to provide abortion services before Missouri's ban.

"My concern is that we would potentially rebuild the same system that failed so many people," said Colleen McNicholas, its chief medical officer for reproductive health services.

Missouri lawmakers long sought ways to limit abortion even while it was protected by the Supreme Court's Roe v. Wade decision, including enacting a 72-hour waiting period in 2014. The number of recorded abortions in the state dropped from 5,772 in 2011 to 150 in 2021, the last full year before the current ban.

"We know what it's like to live in a post-Roe reality, and we knew that reality well before the Dobbs decision," said McNicholas.

Still, Corley said her group is ready to push ahead with at least one measure.

“People are looking for something like what we’re putting forward, which is something in the middle that provides protections against criminal prosecution,” Corley said. “I also don’t think people understand how much worse it can get in Missouri.”

Rural editor and correspondent Tony Leys in Des Moines, Iowa, contributed to this report.

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