

Addendum: Term Limits for State Legislators

Executive Summary

Term limits place restrictions on how long a legislator may hold elected office. Term limits can be divided into two broad categories: consecutive and lifetime. Consecutive term limits restrict a legislator from serving more than a particular number of years in a chamber in a row, while allowing them to be re-elected after an allotted time has passed. Under lifetime limits, a legislator who has served the maximum total allowable number of years may never again run for election to that office. Fifteen states, including Missouri, have term limits for state legislators. Under [Missouri lifetime term limits](#), no legislator is allowed to serve more than eight years in a single chamber (nor more than 16 years total in both houses of the General Assembly). Currently filed in 2022, there are three proposed amendments to the Missouri constitution ([HJR 77](#), [SJR 36](#) and [SJR 49](#)) that would extend lifetime term limits in the Missouri General Assembly to 12 years in each chamber (24 total maximum). HJR 77 would also change House member term lengths from two to four years beginning in 2024.

Highlights

- Missouri and four other states have lifetime limits on the number of years a state legislator can hold elected office.
- Term-limited states have experienced higher legislator turnover rates after enacting limits, with larger increases in House turnover rates than Senate rates. Legislative term limits are also known to decrease policy expertise and specialization among the members.
 - Research from Missouri shows that term limits in the state have had significant effects on institutional expertise (decreased), the concentration of power in party leadership relative to the Governor (decreased), and the power of interest groups to push for policy that favors their organization (increased).
- Proponents of institutionalized term limits say they may increase diversity by encouraging traditionally excluded groups (e.g., women, racial/ethnic minorities) to run for public office. However, studies have not found a statistically significant difference in legislator diversity between states with two-term limits and no term limits.

Limitations

- It is difficult to fully assess the particular effects of state-level term limits because of the significant variation in types/composition of legislatures that have term limits, as well as differences in term limit design.

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Research Background

State Legislative Term Limits

Term limits restrict the length of time a member can serve in the state legislature by capping the number of years or terms that someone can be elected to a state legislative office. These limits may be divided into two broad categories: consecutive and lifetime. With consecutive term limits, a legislator is limited to serving a particular number of years in a chamber.¹ After that, a legislator may run for election to the other chamber, leave the legislature, or in some instances, may be able to run again for election for their original seat after a set period of time (usually two years) has passed.¹ However, lifetime limits prohibit a legislator from being elected to that office again at the conclusion of their term. Lifetime limits are much more restrictive than consecutive limits.¹

Term limits were introduced in the 1990s, spreading across a wide array of state legislative institutions.¹ Fifteen states currently have term limits for state legislators, with 10 of them imposing consecutive term limitations and five with lifetime limits (Table 1).¹

Limit in Years	Consecutive	Lifetime Limit
8 House / 8 Senate	Arizona, Colorado, Florida, Maine, Montana, Ohio, South Dakota	Missouri
6 House / 8 Senate	--	Michigan
8 total	Nebraska	--
12 total	Arkansas	California, Oklahoma
12 House / 12 Senate	Louisiana	Nevada

Table 1. Term limited states with consecutive or lifetime limits.¹

In 1992 the constitutional amendment that enacted term limits via ballot initiative in Missouri was approved with 75% of the votes in favor.^{2,3} This took effect in 2000 for eight members of the House and one Senator in 1998 due to special elections. Currently, the legislators are limited by eight years of service in each chamber, equaling 16 total maximum years of being eligible for service in the Missouri General Assembly.¹

Stated Motivations Behind Term Limits

In many cases, the movement to institute term limits was initiated by voters and passed through citizen ballot initiatives, which places a proposed law or constitutional amendment on the ballot

for a popular vote.⁴ For more information on ballot initiatives and referendums, read our Science Note: [Ballot Initiatives and Referendums](#).

One motivation behind institutionalized term limits, according to proponents, rests on the idea that state legislatures need to bring fresh ideas and perspectives to lawmaking. Term limits require turnover among members by shortening the time anyone can serve and reduce the tendency for elected officials to make legislative service their career.⁵

Further reasoning that has been used to institutionalize term limits is that they can increase diversity within the chamber by encouraging more women, racial and ethnic minorities, members of the minority party, people with unconventional occupations, and younger legislators to run for office because seats would be open more frequently.⁵ In addition, supporters of term limits argue that they bring higher rates of electoral competition and voter interest.⁵ Others suggest that term limits decrease the influence of interest groups and increase constituent representation by decreasing the ability of legislators form relationships with (and be “captured” by) interest groups; they also propose that legislators may be able oppose interest groups since they have less fear of electoral retaliation.⁶

Effects of State-Level Term Limits

One study from 2004 found that term-limited states experienced higher legislator turnover rates after enacting limits, with larger increases in House turnover rates than Senate rates.⁷ Due to the lack of time to build up institutional knowledge, **legislative term limits are known to decrease policy expertise and specialization among the members.**^{3,5} Research from Missouri shows that term limits in the state have had significant effects on institutional expertise (decreased), the concentration of power in party leadership relative to the Governor (decreased), and the power of interest groups to push for policy that favors their organization (increased).^{3,8} For more information, read our Science Note: [Retaining Institutional Knowledge in the State Legislature](#).

Studies on the effectiveness of term limits have shown that there are **no systematic differences between term limit and non-term limit states in changing the composition of the legislature** (e.g., professional backgrounds, demographics, ideology).^{5,8} Moreover, although term limits may produce more open seats, women and minorities are subject to the same term limits as men, and given their low numbers among candidates for office, on balance a legislature can lose as many women or minorities as it gains.⁹

Although there are no clear differences between part-time and full-time legislatures in their composition, with respect to legislative behavior, term limits have been found to heighten the priority the legislators place on the short-term needs of the state.⁵

Term limits also affect the power structure between the legislature and the Speaker of the governing body. For example, a study that looked at state House of Representatives in the U.S. from 1981 to 2015 found that states that implemented term limits were associated with a more powerful Speaker. The study also found that, with term limits, the chambers were incentivized more to delegate to the Speaker more leadership tools (for example committee chair

appointment power).¹⁰ Finally, studies have found that term limits impact the key sources from whom legislators draw information about bills before the chamber.¹⁰

Because there is significant variation both among the types of legislatures that have term limits (e.g., both part-time and full-time legislatures have established limits) and among the limits themselves (e.g., length, gaps between eligible elections), it can be difficult to draw other general conclusions about the effects of term limits.¹

State Efforts to Extend or Repeal Term Limits

Historically, 21 states have passed legislative term limits at one time or another. Idaho, Massachusetts, Oregon, Utah, Washington and Wyoming have either repealed or declared term limits as unconstitutional between the late 1990s and early 2000s.¹

Term limits in Massachusetts, Washington and Wyoming were enacted as statutes, rather than constitutional amendments. State courts ruled that term limits constituted a qualification for office, and therefore, must be written in the state constitution, so the statute was not constitutional. The Oregon state supreme court found that the initiative imposing term limits in that state violated the single-subject requirement for initiatives.

Currently, three resolutions ([HJR 77](#), [SJR 36](#) and [SJR 49](#)) have been filed in Missouri to extend the number of total years a General Assembly member can serve to 12 years in each chamber. HJR 77 would also change House member term lengths from two to four years beginning in 2024. If approved by the voters, the term limits for Missouri legislators would be the same as those in the state of Nevada.

References

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