

Filibustering in the American States

James M. Curry¹ and Robert L. Oldham²

¹University of Utah

²Princeton University

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Abstract

The 60-vote filibuster is a key institution in the United States Senate. Most winning coalitions require 60 votes, effectively giving veto power to a minority of senators. But do supermajoritarian debate rules necessarily translate into minority veto power? We examine this in state legislatures, where there is far more variation in whether chamber rules require a majority or a supermajority of legislators to cut-off debate. Across multiple analyses and data sources, we fail to find systematic evidence that formal supermajority rules are associated with important variables, including news coverage of actual obstruction, the size of enacting coalitions, and the success of major proposals. We argue that the lack of a regular translation from formal rules to actual behavior is at least partially the result of legislature-specific norms that affect members' understanding of how they "should" be using the rules.

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In 2023, the political world was briefly transfixed by a filibuster in the South Carolina Senate. A small group of Republicans, mostly women, joined with Democrats to vote down various attempts to end debate on a series of anti-abortion bills. Similar to the U.S. Senate, the S.C. Senate requires three-fifths of senators to agree to end debate on legislation. Although a six-week abortion ban eventually passed the legislature, the supermajority debate rule helped derail a near total ban on the procedure (Pollard 2023*b,a*). In other words, the presence of supermajoritarian rules resulted in a policy change that was further to the left than the outcome preferred by a majority of the chamber.

The South Carolina episode exemplifies the expectations of Krehbiel (1998)'s pivotal politics model for the filibuster. A minority of senators will be able to demand changes or else block policy proposals because their votes are needed to advance legislation. It also reflects the expectations of a host of scholarship documenting the rise and expanded use of the filibuster in the contemporary U.S. Senate (Binder and Smith 2001; Curry and Lee 2022; Howard and Roberts 2015; Mann and Ornstein 2016; Sinclair 2014; Smith 2014, 2022; Wirls 2021). The filibuster has made the Senate a supermajoritarian legislative body, contributing significantly to gridlock (Binder 2004), frustrating the legislative efforts of elected majorities (Curry and Lee 2020), and contributing to a tyranny of the minority (Levitsky and Ziblatt 2023). Politicians and journalist have developed a similar set of attitudes. Many Democrats and their allies called for the filibuster's elimination after the 2020 elections, as they feared it would make it impossible to advance their policy agenda.¹

The idea that filibustering can be just as consequential in state legislatures as in the Senate has been on the minds of journalists, activists, and scholars ever since Senator Wendy Davis of Texas spoke against abortion restrictions for 13 hours in 2013. Since then, journalists have compared and contrasted the rules in the Senate and those in state legislatures, with

¹See, e.g., Ronald Brownstein, "The Democrats' Last Best Shot to Kill the Filibuster," *The Atlantic*, September 2021; David Litt, "We Already Got Rid of the Filibuster Once Before," *The Atlantic*, March 2021; Lisa DeJardins, "What every Senate Democrat has said about filibuster reform," PBS, June 23, 2021; Hayes Brown, "The filibuster hurts only Senate Democrats — and Mitch McConnell knows that," *MSNBC.com*, January 27, 2021.

article headlines such as, “In many state legislatures, it wouldn’t take much to make Ted Cruz stop talking” (Chokshi 2013). Political organizations and advocacy groups have also weighed in. A 2021 report from Represent US (2021) asks, for example, “Is Your State as Gridlocked as the U.S. Senate?” Scholars have taken note of these trends, beginning to apply the logic of pivotal politics to estimate gridlock intervals in the states (Boehmke, Osborn and Schilling 2015).

While it is tempting to assume that the logic of Senate filibuster will apply to state legislative politics, there are reasons to be cautious. For one, congressional scholarship is to some degree mixed on the effects of the filibuster. Some expect that Krehbiel (1998)’s model is time-bound, as both the norms and the strategic calculus for filibustering have shifted throughout American history (Mayhew 2003; Koger 2010; Wawro and Schickler 2007). Prior to the 1970s majorities would prevail on most issues, despite similar filibustering rules. Since the mid-1970s, we have observed dramatic changes to the use of the filibuster, but the rules have not been substantially altered. Indeed, it is only recently that the filibuster has appeared to function as a *de facto* supermajority rule, and even then, the filibuster may not be the biggest impediment to majoritarian action in Washington (Curry and Lee 2022).

In this paper, we turn to the states to investigate the degree to which supermajoritarian filibuster rules affect legislative action. We leverage the fact that state legislatures vary in the thresholds required to end debate in their chambers. Some require only that a simple majority agree to end debate, while others require three-fifths, two-thirds, or even unanimous agreement. Specifically, we assess if different thresholds are associated with different outcomes: (1) the amount of observed obstruction, (2) the size of legislation coalitions, and (3) the success and failure of major legislative efforts. Consistent with existing scholarship, if filibustering rules have a meaningful impact on legislative action, then we should expect them to influence these outcomes, with more cumbersome end-of-debate thresholds producing more obstruction, larger winning coalitions, and less legislative success.

We find, however, that there is no observable relationship between the rules in different

state legislatures and the patterns in these outcomes. Some states, with rules that could readily be exploited by legislative minorities, experience little obstruction and majorities passing legislation with smaller than average winning coalitions. Other states, with rules akin to the U.S. House that should empower majorities, experience more frequent obstructionism, or seem to necessitate larger willing coalitions to ensure passage. Accordingly, we have two takeaways. First, other factors may simply matter more than the rules in predicting obstruction, including the professionalism of the legislature, the length of its session, the partisan dynamics of the state, and the political norms and culture of the institution. Second, we caution against empirical approaches that “stretch” our understanding of the contemporary usage of the Senate filibuster to state legislatures or to legislative institutions elsewhere. We also caution against too readily applying what we have observed about the filibuster today to other eras of American history. Such generalization should only follow from developing appropriate case-specific knowledge about how institutions and politics in different places and time actually operate (Sartori 1970).

Legislative Obstruction and supermajoritarianism

Revived after 50 years of dormancy (Burdette 1940), the contemporary scholarship on legislative obstruction has mostly considered the nature and persistence of the Senate filibuster (Binder and Smith 2001; Wawro and Schickler 2007) and its consequences for policymaking and representation (Wirls 2021). Many studies of the filibuster view it as akin to a formal veto point in the legislative process (Krehbiel 1998). In this telling, the filibuster has become locked into the way of doing business in the Senate (Sinclair 2014; Smith 2014) to the point where 60 votes can be treated as an exogenous threshold for enacting legislation (Ryan 2020). Scholars have begun to apply this same logic to the states, as well, (Boehmke, Osborn and Schilling 2015). While this is, more or less, an accurate characterization of how the filibuster works in the modern U.S. Senate, its functioning as an effective veto point was

not inevitable, nor is it obvious that this logic should apply beyond the contemporary U.S. Senate. Indeed, there are several reasons to suspect that minority obstruction in legislatures does not stem simply from supermajoritarian rules.

One reason is the important consideration of *time* as a political resource as it related to obstruction (Oppenheimer 1985). Koger’s (2010) analysis of why the filibuster has become an institutionalized part the legislative process in the U.S. Senate emphasizes time as a finite resource for both the majority and minority parties. Both sides face opportunity costs when there is a threat of a filibuster, because when obstruction occurs, time that could be spent on other things is wasted. Ultimately, Koger claims that compared to the increased scarcity of time, the “formal cloture rule and the threshold for imposing cloture have relatively little effect” on patterns of obstruction (p. 7). Scholars of state politics have recognized the importance of time as well, but not in the context of legislative obstruction (Kousser and Phillips 2012). However, time may be even more relevant for obstruction in the states than in Washington. Unlike Congress, which has near-continuous two-year sessions, most state legislatures have session lengths that are set by statute, or in state constitutions, after which they must to adjourn *sine die*.² Many state legislatures often have only a few weeks or months each year to accomplish all of their legislative business. This makes floor time even more valuable than in the U.S. Senate, and thus obstruction comes with even more significant opportunity costs.

Another reason we should look beyond rules is the role of norms in structuring the behavior of legislators. While political scientists often present legislators as strategic, utility-maximizing actors (Krehbiel 1986), there are limits to a purely strategic perspective. Norms also matter in legislative settings, particularly those regarding which behaviors are acceptable for members of a legislative body to engage in (Matthews 1959; Alexander 2021; Fong 2023; Hanges et al. 2019). Few scholarly works have grappled with the relationship between filibustering and norms, likely because norms are difficult to conceptualize and do not lend

²<https://www.ncsl.org/resources/details/legislative-session-length>

toward tractable empirical studies. Still, scholars have recognized that filibustering norms have changed over time and are a crucial part of the story (Mann and Ornstein 2016; Fu and Howell 2023; Wawro and Schickler 2007). From state to state, it may very well be the case that norms around filibustering and obstruction are radically different. In some states, legislators and parties may be expected to make maximum use of the procedures at their disposal to advance or block legislation, while in other states such aggressive behavior may be seen as beyond the pale.

Yet another reason filibuster and debate rules may not be enough to explain patterns of obstruction comes through the growing literature explaining the behavior and influence of minority parties. Scholars have recently begun to examine the role of minority parties in legislative policymaking, both in Congress and in the states (Clark 2015). A major theme is that minority party influence over policy outcomes does not stem just from rules that provide vetoes in the legislative process. Curry and Lee (2020, 2022), for instance, find that minority parties often have influence because the majority has many other reasons to seek broad support for legislation, and that things like filibusters are not enough to explain these or other patterns. Ballard and Curry (2021) offer a theory of minority party influence that is entirely independent of any filibustering rules, emphasizing the limits to majority party power, the relative unity of the minority party, and the minority's motivations from policy effort to policy effort. In other words, even highly strategic minority parties may not always view obstruction as the best approach to achieving their political or policy goals, which may limit the degree to which they make maximum use of debate and filibuster rules at their disposal.

Finally, another reason the rules may not be enough to explain patterns of obstruction is that there tends to be a great deal of variation in the particulars of debate and filibuster rules and how they operate, both over time and from legislature to legislature. Simply put, we should not assume that filibustering in state legislatures works like it does the U.S. Senate, today. As Grossman (2014) notes, state filibustering is often misunderstood by national

media observers and not comparable to Senate filibuster rules. State filibusters “pose a much lesser threat to efficient legislative decision-making than the Senate filibuster” because state filibusters “resemble the lauded Senate filibuster of the old—one cabined by time and human constraints and not ubiquitous in the legislative process” (416).

For all of these reasons, the effect of debate and filibustering rules requires more analysis. We simply cannot assume the logic of the modern 60-vote Senate applies to other legislatures or to other periods of time. Nor should we be so confident that the rules alone explain patterns of obstruction, even in the contemporary, hyper-partisan era. We need to take a closer look.

Determining State Legislative Debate Rules

To explore filibustering in the states, we first need data on relevant debate and filibustering rules in each chamber of each state legislature. Specifically, we need to know if there are rules in each chamber that allow legislators to prolong floor debate—and thus could either block or delay the passage of legislation—and if there are, how those rules work. In the U.S. Senate, for instance, these are the processes centered around Senate Rule 22, which govern process for cloture and limiting debate. Since the 1970s, these rules have required that three-fifths of all elected senators agree to invoke cloture and place a limit on debate. In the absence of cloture, any senator may continue to speak on any debatable motion unless the body unanimously agrees to move forward. In state legislatures, rules for ending debate often, but do not always, center on a “previous question” motion, as it does in the U.S. House. However, there is significant variation in the details and requirements of these motions.

We determined the threshold for closing off debate in all 99 state legislative chambers by reading the official rules from legislative sessions spanning from 2017 to 2024. Most of the rules came from a 2017-2019 collection gathered by Matthew Green; we gathered all remaining rules by searching state legislative websites and, if necessary, contacting the

relevant offices in state capitols.³

Most state legislative rules clearly stated whether the chamber required a simple majority or a supermajority of members to either call the previous question or otherwise end debate. Altogether, 57 of the 99 chambers had rules that unambiguously noted that a simple majority could cut off debate. Another 15 chambers did not specify any means of ending debate. However, the rules for many of these chambers referenced Mason’s Manual of Legislative Procedure, which allows a simple majority to end debate. These states were coded as such. A small number of states did not have any information in their rules about ending debate. We determined these chambers also function under a majority rule. Altogether then, 72 of the 99 chambers end debate with a simple majority. The remaining 27 had a supermajority end-of-debate rule of some kind—14 state houses and 13 state senates. The debate thresholds in each state legislative chamber (along with the reference to the specific rule) are found in the appendix, Tables A1 and A2. A summary of the rules is provided in Table 1.

Of the 27 chambers with supermajority debate rules, 14 come from legislatures where both chambers have supermajority rules while the other 13 come from legislatures where only one chamber has a supermajority rule. Five chambers use a 3/5 rule, 18 chambers use a 2/3 rule, two chambers use a 3/4 rule, and two chambers explicitly prohibit a previous question motion, which is effectively a consensus rule (on paper at least).

We take a broad view of what counts as a supermajority debate rule. In some chambers, the answer is not straightforward. A number of quirks exist: (1) Sometimes there are different thresholds for previous question motions and motions to end debate.⁴ (2) Sometimes a majority cannot end debate but can put time limits on it.⁵ (3) Sometimes, supermajority thresholds only apply when a member holds the floor and is speaking.⁶ (4) Finally, sometimes

³In a search of news articles, we did not find evidence that any state changed its debate rules between 2013 and 2022

⁴Arkansas House

⁵New Mexico House; Tennessee House and Senate

⁶Louisiana Senate

Table 1: Summary of end-of-debate thresholds across states

State	House	Senate	State	House	Senate
Alabama	Three-fifth	Three-fifth	Montana	Two-third	Majority
Alaska	Two-third	Two-third	Nebraska	N/A	Two-third
Arizona	Majority	Majority	Nevada	Majority	Majority
Arkansas	Two-third	Two-third	New Hampshire	Majority	Majority
California	Majority	Majority	New Jersey	Three-fourth	Majority
Colorado	Majority	Majority	New Mexico	Two-third	Majority
Connecticut	Majority	Majority	New York	Majority	Majority
Delaware	Majority	Majority	North Carolina	Majority	Majority
Florida	Majority	Two-third	North Dakota	Majority	Majority
Georgia	Majority	Majority	Ohio	Majority	Majority
Hawaii	Majority	Three-fifth	Oklahoma	Majority	Majority
Idaho	Two-third	Two-third	Oregon	Majority	Majority
Illinois	Majority	Majority	Pennsylvania	Majority	Majority
Indiana	Majority	Majority	Rhode Island	Majority	Majority
Iowa	Majority	Majority	South Carolina	Majority	Three-fifth
Kansas	Majority	Majority	South Dakota	Majority	Majority
Kentucky	Majority	Majority	Tennessee	Two-third	Two-third
Louisiana	Majority	Two-third	Texas	Majority	Majority
Maine	Majority	Majority	Utah	Two-third	PQ not allowed
Maryland	Majority	Three-fifth	Vermont	Three-fourth	PQ not allowed
Massachusetts	Two-third	Majority	Virginia	Two-third	Majority
Michigan	Majority	Majority	Washington	Two-third	Majority
Minnesota	Majority	Majority	West Virginia	Majority	Majority
Mississippi	Majority	Majority	Wisconsin	Majority	Majority
Missouri	Majority	Majority	Wyoming	Two-third	Majority

supermajority debate rules only apply in the Committee of the Whole.⁷ If there is *any* supermajority threshold in the debate rules, then we use that threshold under the assumption that minorities have *some way* to exploit these rules and make it more costly for the majorities to pass legislation.

⁷Montana House

Observing Obstruction and its Consequences

To take stock of any relationship between end-of-debate rules and legislative outcomes in different state legislative chambers, we also need measures of the expected effects of these rules. As noted above, the typical expectations are that rules setting higher end-of-debate thresholds result in *more gridlock*, *more failure on legislative priorities*, and *larger final passage coalitions*. Simply put, higher end-of-debate thresholds mean that more divergent legislative actors need to be accommodated for policy proposals to advance, or else they can and will be obstructed.

Measuring each of these outcomes presents a challenge. The mechanisms through which objections or obstruction can occur and translate into gridlock, policy failure, or larger final passage coalitions might happen in public, or they might happen behind closed doors and out of view. Many scholars have grappled with the problem of identifying obstruction in Congress (Beth 1994; Binder and Smith 2001; Koger 2010). State legislatures are potentially an even more difficult terrain for identifying obstruction given that they have received less news coverage and scholarly attention than Congress.

As such, we adopt as many different approaches to measuring these outcomes as possible. While none of our measures are perfect, their combination should provide some indication of whether supermajoritarian rules are consequential for legislative outcomes. If none of the measures indicate that state legislative debates rule are directly or indirectly related to outcomes, then we will have reason to doubt that actors are regularly accounting for them in their decision-making or that they are serving as pivots in the way that spatial models expect. Of course, observing a relationship would not necessarily signal the existence of a causal relationship either. But before we can even begin to assess the causal relationships at play between supermajoritarian debate rules and legislative outcomes, we first need to look for any observable correlation.

News Coverage of Obstruction

We start by looking for coverage of state legislative obstruction in news sources covering each state. While this method certainly does not capture *every* instance of obstruction in every state, examining news coverage is efficient and should at least identify places where of legislative obstruction occurs enough to be noticed in the public sphere, versus where it appears not to occur at all (Koger 2010). Moreover, if the cases missed by the news media are distributed randomly across states, then the measure is an unbiased estimate of obstruction in state legislatures. This is unlikely to be the case, but our analyses below do, at least, demonstrate that the identification of legislative obstruction is not associated with the number of media sources covering each state. Using these data, we construct blunt measures assessing whether there was (1) no evidence of legislative obstruction in each state during the period under study, (2) evidence of some obstruction, or (3) significant evidence of obstruction. Using dichotomous or trichotomous measures constructed from these data should lessen the concerns about the imprecision of the measure.

With these limitations in mind, we conducted news searches in the NewsBank database, which filters new sources by each state.⁸ For each state-level search, we paired five obstruction-related keywords — “filibuster,” “delay,” “procedure,” “vote,” and “previous question” — with institution-related keywords like “state legislature,” “state senate,” and “general assembly.”⁹ These news searches allowed us to develop a preliminary measure of obstruction in each state for the years 2013-2023. We chose this ten year period because the Wendy

⁸The mean number of news sources for each state is 139 and the median is 98. The maximum is 519 (California) and the minimum is 23 (Wyoming).

⁹As an example, here is the search term we used to look for evidence of filibustering in the Alabama news sources. Note that we excluded the terms “Washington” and “Congress” to avoid pulling in an excess number of stories about the US Senate filibuster: (“state legislature” OR “state senate” OR “state house” OR “state house of representatives” OR “Alabama house of representatives” OR “general assembly”) AND (“filibust*” OR (“procedur*” AND “delay”) OR (“procedur*” AND “vote”) OR “previous question”) NOT (“Congress” OR “Washington”).

Davis filibuster occurred in 2013, likely raising state political observers’ awareness of filibuster activity. This measure is, of course, sensitive to the varying patterns and quality of news coverage in each state, but we believe reporting it as binary measures should at least reflect whether floor obstruction is a regular activity in each state and whether it is even possible. Accordingly, we code a state as 1 if news reports indicate *any obstruction* on the floor for the prior 10 years. We also code a state as experiencing *significant obstruction* if we identified five or more episodes of filibustering since 2013. Altogether, we found evidence of obstruction in 23 states, and significant obstruction in 8 states.

Table 2 places states into categories by the rules related to minority obstruction and what we have found regarding evidence of minority obstructionism since 2013. We also note the states in which there was *significant* obstruction with asterisks. States legislatures were understood to have rules that allow for obstruction if they had end-of-debate thresholds beyond a simple majority (i.e., any supermajoritarian end-of-debate rules). We can see right away that patterns of observable obstruction do not line up clearly with the rules. We found coverage of filibusters in several state legislatures with strictly majoritarian end-of-debate processes, including in Colorado, Connecticut, Minnesota, and Missouri where we found evidence of significant obstruction. We also found no evidence of obstruction in states that should have made minority filibustering quite easy, including in Utah and Vermont where at least one chamber does not even have a procedure for ending debate beyond unanimous consent.

We also fit OLS regression models to test whether there is any statistically meaningful correlation between this bivariate supermajority end-of-debate rule measure (*SM rules*) and our indicator of whether there was evidence of any (or significant) minority obstructionism from 2013-2023. We include just two additional variables that might affect the observed rate of obstruction—the (logged) number of news sources in each state and whether the legislature is part-time. We include the number of news sources because it could be the case that more news coverage simply uncovers more examples of obstruction regardless of the *true*

Table 2: Cross tabulation of state legislative rules and evidence of minority obstruction

	Rules Allow Minority Obstruction	Rules Do NOT Allow Minority Obstruction
Evidence of Minority Obstruction	Alabama* Louisiana Maryland Massachusetts Nebraska* New Jersey New Mexico* South Carolina* Washington	Colorado* Connecticut* Delaware Iowa Kansas Michigan Minnesota* Mississippi Missouri* Oregon Pennsylvania Texas West Virginia Wisconsin
No Evidence of Minority Obstruction	Alaska Arkansas Florida Hawaii Idaho Montana Tennessee Utah Vermont Virginia Wyoming	Arizona California Georgia Illinois Indiana Kentucky Maine Nevada New Hampshire New York North Carolina North Dakota Ohio Oklahoma Rhode Island South Dakota
*This was a state where we found evidence of significant obstruction (5 or more cases)		

rate. We include an indicator for part-time legislatures ($n = 40$ states)¹⁰ because, as Koger (2010) notes, the limits on legislative time affect the costs and incentives of filibustering.

We report the results in Tables 3 and 4. With a small number of observations and covariates, these analyses cannot provide definitive evidence of whether supermajority debate rules drive filibustering. Still, the lack of correlation between rules allowing for obstruction and actual incidences of obstruction is notable. In both Table 3 and Table 4, the size of the standard errors relative to the *SM rules* coefficients indicates that rules add very little explanatory power to models of observed obstruction. The number of a state's news sources aggregated by NewsBank is positively correlated with coverage of obstruction in Table 3 ($p = 0.28$ in model 2; $p = 0.17$ in model 4). This indicates that our comprehensive measure of obstruction is potentially a function of our data collection process.¹¹ However, when we use the significant obstruction measure in Table 4, there is no correlation with the number of news sources, suggesting that the dependent variable is a more accurate way of differentiating *high* obstruction states from *low* obstruction states. Moreover, the part-time legislature indicator is positively correlated with the measure of significant obstruction ($p = 0.13$ in model 2; $p = 0.11$ in model 4)

These correlations give us a sense of the bivariate relationship between supermajority debate rules and one straightforward indicator of obstruction, but they do not tell the full story. It could be the case that obstruction is happening behind the scenes or that agenda-setters are strategically proposing bills that satisfy a supermajority of legislators and, thus, there is no obstruction to observe. In the next two sections, we use roll call data to test for the possibility that the accommodation resulting from supermajority rules leads to systematically larger voting coalitions.

¹⁰A list of part-time legislatures can be found at this link: <https://www.ncsl.org/about-state-legislatures/full-and-part-time-legislatures>

¹¹By this we mean that it could be the case that all legislatures have obstruction from time-to-time, but it is more likely to be observed by the media when there are more news source. If this is true, then our comprehensive measure of obstruction is more a reflection of news coverage in a state than the underlying rate of obstruction.

Table 3: OLS regressions predicting *any* minority floor obstruction (2013-2023)

	(1)	(2)	(3)	(4)
SM rules	-0.0167 (0.1468)			0.0101 (0.1493)
Sources (ln)		0.0898 (0.0814)		0.1283 (0.0921)
Part time			0.0750 (0.1795)	0.1924 (0.1984)
constant	0.4667*** (0.0929)	0.0502 (0.3785)	0.4000** (0.1606)	-0.2833 (0.5231)
N	50	50	50	50
R ²	0.00027	0.02469	0.00362	0.04440
Adjusted R ²	-0.02056	0.00437	-0.01714	-0.01792

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$
 IID standard-errors in parentheses*

Roll Call Coalitions

For the next analysis, we examine roll call data for 47 states in the years 2017-2022.¹² Altogether, there are nearly 320,000 votes from this period. If supermajoritarian debate rules result in meaningful supermajority pivots in the legislature, then we should expect that the chambers with these rules will have larger coalition sizes, on average, and will be less likely to have bare minimum winning coalitions of 55 percent or less.

The data have two limitations that should be noted up front. First, Open States does not consistently classify votes into categories such as votes on final passage, votes on amendments, votes on tabling motions, etc. In many cases, there is no indication the type of vote. Further differentiation between might be possible for some states, but it would be labor and time intensive. For our present purposes, we simply select all roll call votes that passed (which is the only subset where supermajority debate rules might have potentially led to larger coalitions) and where no more than 10 percent of the chamber was absent. This leaves us

¹²All data comes from the organization Open States. Open States, which was acquired by Plural in 2021, has data for every state except Kentucky, Missouri, and Massachusetts.

Table 4: OLS regressions predicting *significant* minority obstruction (2013-2023)

	(1)	(2)	(3)	(4)
SM rules	0.0667 (0.1076)			0.0633 (0.1088)
Sources (ln)		-0.0037 (0.0607)		0.0492 (0.0671)
Part time			0.2000 (0.1291)	0.2376 (0.1445)
constant	0.1333* (0.0680)	0.1769 (0.2819)	1.11×10^{-16} (0.1155)	-0.2798 (0.3810)
N	50	50	50	50
R ²	0.00794	.0000776	0.04762	0.06306
Adjusted R ²	-0.01273	-0.02075	0.02778	0.00196

Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$
 IID standard-errors in parentheses

with roughly 168,000 votes, of which about 62,000 featured at least one no vote.¹³ The second limitation is that Open States only identifies the overall number of yeas and nays on each vote. As such, the analysis can only account for the overall size of the legislative coalition. There is no way to determine how individual members voted or even what the partisan margins were. Even so, if end-of-debate thresholds meaningfully affect the size of voting coalitions, we should expect to see some degree of an association between those thresholds and the share of legislators voting yea.

We use OLS regression to test the relationship between rules and coalition sizes. Our unit of observation is each vote. Our key independent variable is the margin needed to cut off debate in the chamber. Majority debate cut-off chambers are coded as 0.5, while supermajority debate cut-off chambers are coded as 0.6, 0.67, or 0.75 depending on the threshold.¹⁴ As controls, we include measures for the size of the majority party in each

¹³The subset of votes with at least one no vote likely filters out uncontroversial motions that pass by acclamation (i.e. motion to adjourn). Moreover, if the supermajority debate rules are affecting coalition formation, it is probably the case that there is at least *some opposition* to the measure.

¹⁴The two chambers that explicitly do not permit a previous question motion – the Utah

chamber measured as the percent of seats it held, whether the state government was unified or divided in that year, whether the chamber was controlled by Democrats, the level of party polarization apparent in each chamber using Shor-McCarthy scores (Shor and McCarty 2011), the professionalization of the legislature (Squire 2024), and whether the chamber the vote took place in is a state senate. We include fixed-effects for region¹⁵ and time period.¹⁶ In the appendix, we include similar models that consider each of the four thresholds (0.6, 0.67, 0.75, and no previous question motion) as dummy variables with majority threshold as the reference category. The models in Table A3 fail to provide clear evidence that coalition sizes are consistently larger in chambers with supermajority debate rules.

The results provide little support for the contention that supermajority debate rules lead to larger roll call coalition sizes. Of the four models presented in Table 5, the filibuster margin variable is corrected-signed (positive) and significant only when we are modeling the coalition size among all roll call votes. When we model the coalition size among all contested roll call votes though, the relationship is wrong-signed (negative) and significant. When we shift our dependent variable to a binary indicator for roll call votes with 55 percent support or less (which should not regularly occur in any body with an enforced supermajority debate rule of 60 percent or more), there is no relationship with the filibuster margin regardless of whether we look at all votes or just uncontested votes.

If supermajority debate thresholds are consistently acting as *bona fide* supermajority rules, we should expect to see a consistent relationship between the threshold and the size of enacting coalitions. For a point of contrast, Table 6 presents nearly identical models fit on enacted tax increase legislation from 2001 to 2020. Tax increases are some of the only

and Vermont Senates – are coded as the same threshold as their respective state houses – 0.67 for Utah and 0.75 for Vermont.

¹⁵The four Census regions are South, West, Northeast, and Midwest. We include Maryland and Delaware as northeastern states.

¹⁶The three time periods in our data align with the three legislative sessions between elections – 2017-2018, 2019-2020, and 2021-2022. We code by year for the states with odd-year elections.

Table 5: Predicting roll call coalition sizes

	Coalition size		Close vote (55% ye or less)	
	All	Contested	All	Contested
End debate threshold	0.0223*** (0.0047)	-0.0376*** (0.0085)	0.0050 (0.0062)	0.0082 (0.0156)
Majority party size	0.0820*** (0.0036)	0.0590*** (0.0065)	-0.1505*** (0.0047)	-0.2920*** (0.0112)
Unified	-0.0225*** (0.0009)	-0.0020 (0.0016)	0.0067*** (0.0012)	-0.0253*** (0.0029)
Democratic	-0.0106*** (0.0009)	-0.0355*** (0.0016)	-0.0046*** (0.0013)	0.0008 (0.0032)
Polarization	0.0158*** (0.0007)	-0.0256*** (0.0014)	0.0068*** (0.0009)	0.0162*** (0.0024)
Professionalization	0.0435*** (0.0022)	0.0824*** (0.0036)	-0.0857*** (0.0034)	-0.1688*** (0.0072)
Senate	0.0249*** (0.0007)	-0.0139*** (0.0012)	-0.0275*** (0.0009)	-0.0172*** (0.0023)
Region fixed-effects	✓	✓	✓	✓
Time period fixed-effects	✓	✓	✓	✓
N	168,312	61,867	168,312	61,867
R ²	0.03125	0.02912	0.01603	0.03265
Within R ²	0.02055	0.02646	0.01578	0.03043

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*

state legislative bills that are undoubtedly subject to supermajority rules in certain states (Oldham 2024). In the states with supermajority tax increase rules, a specific supermajority threshold has to be reached to pass the legislation, not end debate. The difference in the effect of these rules is reflected in Table 6, which shows significant positive associations between the required vote threshold and coalition sizes and significant negative correlations between the required vote threshold and the likelihood of a vote with less than 55 percent support.

Tables 6 highlights how the evidence that we *would expect to see* when supermajoritarian requirements are inflating the size of enacting coalitions is absent for similar analyses with supermajoritarian debate rules (Table 5. This should cast further doubt on the consistency or importance of the rules in shaping obstruction and legislative outcomes. However, one might still question whether the expected relationship will manifest when we narrow our

Table 6: Predicting roll call coalition sizes on tax increases

	Coalition size		Close vote (55% yea or less)	
	All	Contested	All	Contested
End debate threshold	0.3053*** (0.0584)	0.4089*** (0.0541)	-0.9271*** (0.0966)	-1.013*** (0.1017)
Majority party size	0.3854*** (0.0457)	0.3631*** (0.0434)	-0.8053*** (0.0963)	-0.8368*** (0.1036)
Unified	-0.0750*** (0.0097)	-0.0677*** (0.0092)	0.0927*** (0.0216)	0.0907*** (0.0237)
Democratic	-0.0290** (0.0118)	-0.0269** (0.0110)	0.0286 (0.0258)	0.0322 (0.0284)
Polarization	-0.0017 (0.0109)	-0.0188* (0.0104)	-0.0675*** (0.0233)	-0.0651*** (0.0249)
Professionalization	-0.1176*** (0.0264)	-0.0736*** (0.0244)	0.2655*** (0.0721)	0.2494*** (0.0755)
Senate	0.0325*** (0.0087)	0.0186** (0.0080)	-0.0077 (0.0197)	0.0015 (0.0216)
Region fixed-effects	✓	✓	✓	✓
Time period fixed-effects	✓	✓	✓	✓
N	1,051	951	1,051	951
R ²	0.24978	0.27742	0.19593	0.20091
Within R ²	0.18151	0.22094	0.11918	0.12114

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*

focus to a specific set of important legislative proposals, rather than examining the vast array of votes assembled by Open States. We take up this point in the next section.

State of the State Proposals

For our final quantitative analysis, we sought to identify a set of highly salient legislative proposals to determine whether there is a relationship between the presence of supermajority debate rules and legislative outcomes. Specifically, we want to know if these rules result in more gridlock (less legislative success) or larger than average roll-call vote coalitions on final passage. If we cannot find evidence that supermajority debate rules affect the consideration of prominent bills, then we are unlikely to find a systematic relationship anywhere.

Our list of salient bills come from an analysis of all 50 gubernatorial state of the state

addresses in 2019. We read through each address and identified all *policy proposals* that governors made for the state legislative sessions in that same year. Following Kousser and Phillips (2012), we are careful to distinguish between *policy* proposals and *budget* proposals. Budget proposals are usually included in must-pass budget legislation. Permanent stalemate on these bills is very unlikely and roll-call coalitions on these bills tend to be very large. Moreover, in most states, governors have some line-item veto power on budget bills, adding a unique dynamic to legislative action and bargaining on these bills.

Policy proposals, in contrast, are included in standalone bills that do not have to pass. The success or failure of these bills does not affect the ability of the state government to function or meet its fiduciary responsibilities. As such, a legislative minority can more credibly threaten to filibuster a policy proposal compared to a budget proposal. Moreover, without line-item veto power on these policy bills, the governor cannot simply let the legislature act and then strike out the parts of the bill she dislikes. Instead, on these proposals, the governor and members of the legislature must bargain effectively toward building a sufficient coalition to clear procedural hurdles and obtain passage.

We uncovered 336 unique policy proposals in 2019—about 6.7 per governor. Of these 336 proposals, about 66 percent were enacted to law in some form, while the rest failed to be enacted. The key question we have is whether proposals are affected by the presence or absence of supermajority debate rules. If the rules are consequential then we should expect to see more proposals fail in states where the legislature has higher threshold for ending debate. We should also expect to see governors propose more widely acceptable policies to preempt the possibility of a filibuster, resulting in larger final passage coalitions.

We first examine whether gubernatorial proposals are more likely to fail in the presence of supermajority debate rules (see, Table 7). Using OLS regression, we model the likelihood that a proposal becomes law. The higher debate threshold between the two chambers in the state legislature is the key independent variable. We control for unified government, the average level of polarization across the two chambers in a state, the average percentage of

Table 7: Predicting success on gubernatorial proposals

End debate threshold	0.0302 (0.3283)
Unified	0.2503** (0.1015)
Polarization	0.1559*** (0.0503)
Average size of governor’s party	0.2232 (0.3013)
Professionalization	-0.2123 (0.1404)
Region fixed effects	✓
N	336
R ²	0.12342
Within R ²	0.09892

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*

seats controlled by the governor’s party, and the professionalization of the chamber. We also include region-level fixed effects.

Our model uncovers no relationship between the debate threshold and the likelihood that a proposal succeeds. In the appendix, we include alternative models which, again, include the four debate thresholds as dummy variables (Table A4) and account for the distance between the size of the governor’s party and the debate margin (Table A5). While the results in Table A4 suggest that gubernatorial proposals are more likely to fail in states where at least one chamber has a debate threshold of 60 percent, the legislatures with supermajority thresholds at 67 percent and 75 percent and those with no previous question motion are not significantly different from the majority threshold legislatures. Table A5 returns no evidence that the distance between the size of the governor’s party and the debate margin is associated with the passage or failure of gubernatorial proposals.

It could be the case that filibusters are not systematically thwarting gubernatorial proposals because governors are anticipating the possibility of filibusters by proposing more widely acceptable laws. If this is true, then the successful gubernatorial proposals in filibuster states should, on average, have more support on their final roll call passage votes.

In Table 8, we find no evidence that proposals that pass in state legislatures with higher debate rules have larger enacting coalitions as coefficient on the filibuster variable is wrong-signed (negative) and insignificant.¹⁷ We also not find evidence that these states are less likely to have enacting coalitions less than 60 percent.¹⁸ In the appendix, we again fit models where the debate threshold is operationalized with four dummy variables (Table A6) and where we account for the distance between the size of the governor’s party and the debate threshold (Table A7). None of the results indicate a positive relationship between supermajority debate thresholds and larger enacting coalitions.

Table 8: Predicting coalition size on gubernatorial proposals

	Coalition size	Less than 60% support
End debate threshold	-0.0605 (0.1349)	0.3261 (0.2594)
Unified	-0.1132*** (0.0413)	0.0779 (0.0838)
Polarization	-0.0002 (0.0203)	0.0385 (0.0287)
Average size of governor’s party	0.1740 (0.1271)	-0.0856 (0.2393)
Professionalization	-0.0933* (0.0507)	0.0044 (0.0926)
Region fixed-effects	✓	✓
N	223	223
R ²	0.08046	0.02410
Within R ²	0.05868	0.01841

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*

The state of the state analyses point to the same conclusion as the news coverage analysis and the broader roll call vote analysis—supermajoritarian end-of-debate thresholds are not systematically associated with more obstruction or different legislative outcomes in the states. They are not operating as Senate-esque supermajority pivots, at least on average. However,

¹⁷The coalition size is calculated by averaging the House and Senate final passage votes. The results are similar if we fit the model on only house votes or only senate votes.

¹⁸We used 60 percent rather than 55 percent as all enacting coalitions in the data were at least 55 percent. Roughly six percent of enacting coalitions were less than 60 percent.

there are clearly examples of the rules giving leverage to minorities (i.e. the South Carolina abortion filibuster) and there are also examples of minorities obstructing majorities without using the rules as leverage. Next, we begin to try to understand the patterns here, or lack thereof.

Explaining the (Non)Patterns

Our analyses so far have uncovered little evidence that supermajority debate rules are systematically related to the expected outcomes. Here, we begin to try to unpack the reason for the lack of a pattern. In the long term, we will conduct interviews with legislative actors in a variety of states to better understand the interplay of rules, obstruction, and action. For now, we have taken a close look at some cases of obstruction (or non-obstruction) in a handful of states with divergent rules.

Specifically, we explore two sets of states that defy traditional logic. First, we examine states in which supermajoritarian rules exist that should allow for the minority to obstruct action, but within which we did not observe any obstruction at all. The operative question here is, why are these rules not utilized by the minority? Second, we examine states in which there is evidence of minority obstruction but the rules of the legislature should not allow for it. These are states in which the legislative rules should empower a simple majority to close off debate at will. The operative question here is, why does the majority not systematically squash the obstruction? So far, the apparent answer appears to be *norms*, or, the expected behavior of legislative actors for themselves. In other words, in many of these states legislative actors do not appear to make maximum strategic use of the rules because it would be viewed as unusual, or even inappropriate, to do so. In this way, the rules themselves do not appear to be the most important factor, but how legislative actors understand the manner in which the rules *should* be used.

Obstruction in Legislatures without superMajoritarian Rules

Consider, first, the patterns we observe in several state legislatures for which our media searches turned up evidence of minority-led filibusters, despite those legislatures having rules that should empower simple majorities to end debate and pass legislation (the top-right quadrant of Table 2). The states in this category feature various different dynamics of two-party politics. Some are competitive (e.g., Michigan, Minnesota), others lean most of the time toward one party, but the out-party could not be described as a permanent super-minority (e.g., Colorado), and others are essentially one-party states in which the minority is long-lasting, small, and seemingly permanent (e.g., Massachusetts). This variety rules out aggregate partisan dynamics as a clear driver of filibustering in the absence of permissive rules.

In these states, filibustering occurs mostly through engaging in *talking filibusters*—that is, taking and holding the floor through extended debate, sometimes by one legislator, and sometimes by a coordinated team. In a few states, there are other dilatory motions that can be used, such as a quorum call (e.g., a “Call of the House”) or a motion to table. But, mostly, obstruction occurs through talking filibusters. This makes sense. Taking the floor, and refusing to yield, is something that can be done in nearly any legislative body so long as there is not some standing order or special rule that would force the legislator to relinquish at a certain time.

What is intriguing, and potentially revealing, is the degree of permissiveness afforded to a minority *by the majority* to engage in this behavior. In each of these states, a majority *could* use a previous question or similar motion to end debate at any time. However, there is substantial variation in how majorities handle filibustering efforts by legislative minorities across these states.

In some states, majorities approach obstruction with a soft touch. In the Colorado General Assembly, for example, a majority has the power to cut off debate. Rule 14 in the

Colorado House enables a simple majority of legislators to end debate and move to a vote on passage. In recent years, the minority Republicans have engaged in several high-profile filibusters, and the majority proved reluctant to use the rules at their disposal to end them. In 2022, for example, the majority Democrats brought a bill to the floor (the Reproductive Health Equity Act) which would protect reproductive rights. Republicans engaged in what was described as a “historic” filibuster, forcing more than 12 hours of debate on the bill over two days (Miller 2022). Local reporting suggests that Democrats never used Rule 14 to end debate because it would have been seen as unusual to do so. As one article described it, “House Democrats could have limited debate and squashed the GOP delay by a simple majority vote, but doing so would have bucked *longstanding tradition* and Democratic leaders said they had no plan to do that” (Burness 2022) (*emphasis added*).

The next year, Republicans engaged in filibusters on two bills—one that would regulate gun purchases and another that would crack down on the operations of crisis pregnancy centers. On both, Republicans engaged in talking filibusters, hoping to delay to kill the Democrats’ efforts. This time, the Democrats bucked longstanding norms and used Rule 14 to cut off debate. This did not go unnoticed in the Colorado media, and the move was described as unique or unusual. For instance, one article read, “Democrats on Saturday invoked a *little-used* rule to limit debate, effectively shutting down a filibuster by Republicans” (Goodland 2023) (*emphasis added*). Other media coverage of the episode was similar. In aggressively using the rule in 2023, Democrats broke new ground.

The dynamics in the Missouri General Assembly are similar. There, minorities frequently engage in talking filibusters, often ahead of statutory deadlines to pass a budget or end the legislative session. Rather than use available rules to cut off debate by a simple majority vote, the norm in Missouri is for the majority to negotiate with an obstructing minority, seeking to find a compromise that will end the obstruction and allow the bill to move forward. For example, in 2023, Senate Democrats filibustered a bill that would have made it harder to put state constitutional changes on the ballot. Republicans pulled the bill in order to

bring the filibuster to the end. A month later, after negotiations with the Democrats, Republicans brought forward a retooled measure that was less hard-edged, lowering the necessary threshold for the states' voters to approve such a ballot measure. With these concessions (and others) made, the minority Democrats backed off their filibuster (Keller 2023). A similar case happened in 2019, as the Democrats took to the floor threatening to run out the clock through a statutory end of session deadline to block a heart-beat abortion ban bill (and anything else that might be brought up). Republicans eventually passed the bill, but only after they made concessions to get Democrats to drop their obstruction: "A number of changes were made to the bill to end a Democratic filibuster..." strengthening the ability of women to secure an abortion under certain circumstances (Shaw, Yu and O'Hara 2019).

The general takeaway is that the important factor among these states for filibustering is not necessarily the rules themselves, but the understanding legislative actors have for how those rules should (and should not) be used. Majorities often restrain themselves from strategically using very majoritarian rules to cut off debate or advance legislation because it is understood to be unusual, or against political norms, to do so.

Legislatures Without Obstruction Despite superMajoritarian Rules

The intriguing category of state legislatures are those with supermajoritarian debate rules, but for which we did not find any coverage of minority obstruction or filibustering (the bottom-left quadrant of Table 2). These states present the same puzzle as those above, but in reverse. Why don't minorities take advantage of rules that should permit relatively easy obstruction. We have less insight into these cases at this point because there was no observable action to study. These cases will benefit substantially from interviews with legislative actors. For now, we offer a few brief thoughts and areas of planned exploration.

First, it may be the case that the rules do not work in practice as our reading of them suggests they should, and legislative minorities might not understand the rules as interlopers

such as ourselves think they should. Consider the Utah State Legislature as a brief example. The Utah House requires a two-thirds vote to cut off debate, and the Senate has no motion for ending debate at all. Yet, we could not uncover any coverage of any obstruction by legislative minorities in the Utah State Legislature. One reason could be that we misunderstand the local interpretation of the rules. Perhaps in the Senate, the lack of a motion to end debate does not mean that any state senators could prolong debate. Perhaps, instead, other processes supersede that possibility and provide more majoritarian order than we would otherwise expect.

Second, it may be the case that we did not identify any obstruction in at least some of these states because the news media in those states has not yet picked up on legislative obstruction or inserted it into their reporting. This is possible, especially in states where local news sources do not cover as much local politics, either due to budget cuts or acquisition by a national media company (Martin and McCrain 2019; Nielsen 2015; Peterson 2021). On the other hand, if obstruction is common in a state, or has taken place on a salient issue, we find it implausible that it would go completely uncovered in the media. After all, in recent years, state legislative filibustering has become national news in many instances.

Finally, it could be that the same norms and behavioral expectations that appear to restrain majorities from using rules to cut off debate could in at least some cases restrain minorities from using the rules to maximize obstruction. It may simply be understood as unusual or inappropriate to do so within a legislature's cultural norms. We observed one example of this in Iowa, a state with majoritarian rules. In 2017, the minority Democrats engaged in talking filibuster to attempt to obstruct passage of legislation that would weaken public unions in the states. The move was viewed as so unorthodox that it immediately spurred a rebuke from the Republicans. While Democrats complained that Republicans took an unusual step in cutting off debate, Republicans suggested that using debate to obstruct was itself unusual, forcing them to respond (Petroski and Pfannenstiel 2017).

If this is case, a fuller examination of the non-use of the rules across states could speak

to debates about the respective roles of *hard* formal institutions and structures versus *soft* expectations, norms, and informal institutions for explaining legislative behavior (Azari and Smith 2012; Tsebelis 2002). These are explanations and patterns we hope to uncover via interviews in future iterations of this paper.

Conclusions

In this paper, we turn to the states to investigate the degree to which supermajoritarian filibuster rules affect legislative action. Leveraging the fact that state legislatures vary in the thresholds required to end debate in their chambers, we assess if different thresholds are associated with different outcomes: (1) the amount of observed obstruction, (2) the size of legislation coalitions, and (3) the success and failure of major legislative efforts. Contrary to how the U.S. Senate’s filibustering rules are understood to have a meaningful impact on legislative action, we find no observable relationship between the rules in different state legislatures and the patterns in these outcomes. There is no pattern across states in our data. In some states where majorities could quash minority obstruction at will, they do not. In other states where minorities could leverage the rules to obstruction action or demand concessions, we find no observable evidence that this occurs.

Accordingly, we have two takeaways. First, we caution against empirical approaches that “stretch” our understanding of the contemporary usage of the legislative rules or processes from the Congress to state legislatures or to legislative institutions elsewhere. We also caution against too readily applying what we have observed about obstruction and filibustering today to other eras of American history. Our (non) findings join those of others in suggesting that the pivotal politics model of filibustering in the contemporary Senate may be specific to that space and time bound, specific to that institution in its current moment (Mayhew 2003; Koger 2010; Wawro and Schickler 2007). Assuming we can readily generalize from those patterns may be a mistake and lead to poor inferences. Any attempt at generalization

about what we know about debate rules and obstruction should only follow from developing appropriate case-specific knowledge about how institutions and politics in different places and time actually operate (Sartori 1970).

Second, our analyses thus far hint at the importance of norms and unwritten rules for obstructionism rather than the formal structures that have been well-studied by scholars of American politics (Azari and Smith 2012). While norms are often difficult to pin down and analyze systematically, we think that focusing our future efforts on the norms will be an important contribution to the literature on legislative obstruction. We will proceed with this analysis via more in-depth case studies and interviews with state lawmakers.

Altogether, our findings indicate that the relationship between legislative rules, legislative obstruction, and other downstream consequences requires far more study. Political scientists should carefully consider that various forces at play in obstructionism legislative politics, including the various drivers of legislators' behaviors, and the various other forces that play that influence legislative outcomes.

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Appendix

Table A1: State House floor debate rules

State	Rules
Alabama	Rule 25 requires 3/5 vote for ending debate
Alaska	Rule 32 requires 2/3 vote for previous question
Arizona	Rule 21 requires majority
Arkansas	Rule 19 (f) Previous question is majority of quorum; Rule 19 (g) Limit debate is 2/3 of quorum.
California	Rule 87 requires majority
Colorado	Rules 14 and 16 requires majority
Connecticut	Rule 22 (Mason's manual)
Delaware	Rule 39 and 40 imply that a previous question motion can be decided by majority vote
Florida	Rules 11.8 and 11.9 imply majority rule
Georgia	Rule 123.1 requires majority
Hawaii	Rule 48 provides for a majority vote to end debate
Idaho	Rule 55 requires 2/3 vote for previous question
Illinois	Rule 59 requires majority vote for previous question
Indiana	Rule 5.2 requires majority vote
Iowa	Rule 81 requires that a constitutional majority vote for the previous question
Kansas	Rule 2304 requires majority vote for previous question
Kentucky	Rule 12 requires majority vote for previous question
Louisiana	Rule 9.10 requires majority vote for previous question

Maine	Rule 552 (Mason's manual)
Maryland	Rule 89 requires majority for previous question
Massachusetts	Rule 66 requires two-thirds vote for previous question
Michigan	Rule 52 makes clear that debate is majority question
Minnesota	Rule 3.13 requires majority for previous question
Mississippi	Rule 66 requires a majority for previous question
Missouri	Rule 77 requires a constitutional majority for previous question
Montana	Rule 40-170 allows for a 2/3 cloture vote in the committee of the whole; Rule 50-150 sets PQ at majority; Rule 50-160 lays out all vote thresholds
Nebraska	N/A
Nevada	Rule 81 requires majority for previous question
New Hampshire	Rule 10 (Mason's manual)
New Jersey	Rule 13.9 requires three-fourths vote to "terminate debate"
New Mexico	Rule 18.1 requires two-thirds vote for previous question After 3 hours of debate, a majority motion to close debate can be offered under Rule 20.1
New York	Nothing suggesting supermajority rules for ending debate
North Carolina	Rule 19.b requires majority for previous question; Rule 10 provides for further limitations on debate
North Dakota	Rule 314 requires majority for previous question; Rule 318 requires majority for limiting debate
Ohio	Rule 101 requires majority for previous question
Oklahoma	Nothing suggesting supermajority rules for ending debate
Oregon	Nothing suggesting supermajority rules for ending debate

Pennsylvania	Rule 61 requires majority for previous question
Rhode Island	Rule 37.a (Mason's manual)
South Carolina	Rule 8.5 requires majority for previous question
South Dakota	Rule 4.2 (Mason's manual)
Tennessee	Rule 36 requires two-thirds for previous question, but majority can set time limits on debate
Texas	Rule 7.21 requires majority for previous question
Utah	Rule 4-6-109(iv) requires a two-third vote to end debate
Vermont	Rule 68 requires a three-fourths debate to close debate
Virginia	Rule 65 requires a two-thirds vote for ordering the "main question" (majority vote is OK for the "pending question")
Washington	Rule 18 requires a two-thirds vote for ordering the previous question
West Virginia	Rule 63 requires a majority for previous question
Wisconsin	Rule 71 requires a majority for ending debate
Wyoming	Rule 12.9 requires two-thirds for previous question

Table A2: State Senate floor debate rules

State	Rules
Alabama	Rule 20 requires 3/5 vote for ending debate
Alaska	Rule 32 requires 2/3 vote for previous question
Arizona	Nothing suggesting supermajority rules for debate
Arkansas	Rule 12.2: 2/3 vote required to call the PQ; there is a one hour limit on debate though.
California	Rule 41 requires majority

Colorado	Rule 9 requires majority
Connecticut	Rule 32 (Mason's manual)
Delaware	Nothing suggesting supermajority rules for debate
Florida	Rules 2.50 and 8.6 allows for limitations on debate; there are time limits for speaking too.
Georgia	Rule 6-8.1 requires majority
Hawaii	Rule 65 requires 3/5 vote for previous question
Idaho	Rule 37 requires two-thirds for simple majority for previous question and debate limits
Illinois	Rule 7-8 requires majority vote for previous question
Indiana	Rule 12(f) allows limitation on debate by majority vote
Iowa	Rule 17 requires majority for previous question
Kansas	Rule 29 requires majority for previous question
Kentucky	Rule 12 requires majority vote for previous question
Louisiana	Rule 11.11 requires majority vote for previous question; Rule 11.6.1 specifies that a Senator who holds the floor may be limited by 2/3 vote
Maine	Rule 520 (Mason's manual)
Maryland	Rule 77 requires three-fifths elected to limit debate
Massachusetts	Rule 46 seems to allow for a majority to cut off debate
Michigan	Rule 3.308 requires majority for previous question; Rule 3.502 makes clear that debate is majority question
Minnesota	Rule 31 requires majority for previous question
Mississippi	Rule 110 lays out the process for previous question; Rule 125 sets unspecified vote threshold at majority
Missouri	Rule 84 requires a majority for previous question

Montana	Appendix A does not include any debate thresholds for votes that require more than a majority
Nebraska	Rule 7 (10) requires two-thirds for cloture
Nevada	Rule 81 requires majority for previous question
New Hampshire	Nothing suggesting supermajority rules for debate
New Jersey	Nothing suggesting supermajority rules for debate; Rule 27.1 (Mason's manual)
New Mexico	Rule 18 allows for previous question and Rule 20 allows for closing debate, both by majority
New York	Rule 8.e requires majority for previous question
North Carolina	Nothing suggesting supermajority rules for debate
North Dakota	Rule 314 requires majority for previous question; Rule 318 requires majority for limiting debate
Ohio	Rule 83 requires majority vote for previous question
Oklahoma	Rule.13 requires majority for the motion to limit debate; if it fails the first time, then two-thirds are needed to adopt it on a later attempt
Oregon	Rule 5.17 requires majority for previous question
Pennsylvania	Rule 11.g requires majority for previous question
Rhode Island	Rule 7.13 requires majority vote for previous question and closing debate
South Carolina	Rule 15 allows three-fifths present or 26 of 46 elected senators (56.5%) to end debate
South Dakota	Rule 5.2 (Mason's manual)
Tennessee	Rule 52 requires two-thirds for previous, but majority can set time limits on debate
Texas	Rule 6.09 requires majority for previous question

Utah	Rule 4-6-109 (1) does not list any motion to end debate and (2) bans PQ motions
Vermont	Rule 55 prohibits a previous question motion
Virginia	Rule 34 requires a majority vote for previous question
Washington	Rule 36 requires a majority vote for previous question
West Virginia	Rule 41 requires a majority vote for previous question
Wisconsin	Nothing suggesting supermajority rules for debate
Wyoming	Nothing suggesting supermajority rules for debate

Table A3: Predicting roll call coalition sizes on tax increases

	Coalition size		Close vote (55% yea or less)	
	All	Contested	All	Contested
60 percent threshold	-0.0815*** (0.0020)	-0.0391*** (0.0038)	0.0605*** (0.0029)	0.0290*** (0.0068)
67 percent threshold	0.0199*** (0.0009)	0.0085*** (0.0017)	-0.0062*** (0.0012)	-0.0038 (0.0032)
75 percent threshold	-0.0317*** (0.0026)	-0.0504*** (0.0044)	-0.0044 (0.0031)	-0.0182** (0.0076)
No motion to end debate	0.0150*** (0.0023)	-0.0093** (0.0041)	-0.0181*** (0.0033)	0.0068 (0.0079)
Majority party size	0.0974*** (0.0037)	0.0707*** (0.0066)	-0.1733*** (0.0049)	-0.3175*** (0.0114)
Unified	-0.0210*** (0.0009)	-0.0003 (0.0016)	0.0083*** (0.0012)	-0.0215*** (0.0030)
Democratic	-0.0011 (0.0010)	-0.0302*** (0.0016)	-0.0122*** (0.0014)	-0.0045 (0.0033)
Polarization	0.0172*** (0.0007)	-0.0259*** (0.0014)	0.0062*** (0.0010)	0.0177*** (0.0024)
Professionalization	0.0541*** (0.0024)	0.1019*** (0.0036)	-0.0986*** (0.0036)	-0.1957*** (0.0073)
Senate	0.0191*** (0.0023)	0.0011 (0.0041)	-0.0174*** (0.0032)	-0.0306*** (0.0079)
Region fixed-effects	✓	✓	✓	✓
Time period fixed-effects	✓	✓	✓	✓
<i>Fit statistics</i>				
Observations	168,921	62,365	168,921	62,365
R ²	0.05673	0.03497	0.02620	0.03901
Within R ²	0.04689	0.03240	0.02581	0.03557

Heteroskedasticity-robust standard-errors in parentheses

Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$

Table A4: Predicting success on gubernatorial proposals

60 percent threshold	-0.3731*** (0.1052)
67 percent threshold	-0.0242 (0.0681)
75 percent threshold	-0.0028 (0.1612)
No motion to end debate	0.0982 (0.1564)
Unified	0.2154** (0.1051)
Polarization	0.1768*** (0.0512)
Average size of governor's party	0.2924 (0.3059)
Professionalization	-0.2459* (0.1432)
Region fixed effects	✓
N	332
R ²	0.15375
Within R ²	0.13111

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*

Table A5: Predicting success on gubernatorial proposals

Distance: House gubernatorial party/debate threshold	-0.1170 (0.2732)
Distance: Senate gubernatorial party/debate threshold	0.2704 (0.2658)
Unified	0.2549** (0.1047)
Polarization	0.1472*** (0.0475)
Professionalization	-0.1983 (0.1408)
Region fixed effects	✓
N	332
R ²	0.12116
Within R ²	0.09765

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*

Table A6: Predicting coalition size on gubernatorial proposals

	Coalition size	Less than 60% support
60 percent threshold	0.0426 (0.0375)	-0.0136 (0.0411)
67 percent threshold	-0.0529* (0.0306)	0.1065* (0.0600)
75 percent threshold	-0.0363 (0.0670)	0.0866 (0.1398)
No motion to end debate	0.0762 (0.0496)	-0.1267 (0.0788)
Unified	-0.1412*** (0.0445)	0.1055 (0.0954)
Polarization	-0.0068 (0.0205)	0.0431 (0.0299)
Average size of governor's party	0.2314 (0.1414)	-0.1541 (0.2721)
Professionalization	-0.0907* (0.0534)	0.0026 (0.0916)
Region fixed-effects	✓	✓
N	219	219
R ²	0.11737	0.04324
Within R ²	0.09172	0.03817

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*

Table A7: Predicting coalition size on gubernatorial proposals

	Coalition size	Less than 60% support
Distance: House gubernatorial party/debate threshold	0.1156 (0.1202)	-0.1295 (0.2540)
Distance: Senate gubernatorial party/debate threshold	0.0705 (0.0974)	-0.0352 (0.1836)
Unified	-0.1227*** (0.0392)	0.0835 (0.0841)
Polarization	-0.0041 (0.0188)	0.0267 (0.0279)
Professionalization	-0.0949* (0.0517)	0.0035 (0.0989)
Region fixed-effects	✓	✓
N	219	219
R ²	0.09191	0.01681
Within R ²	0.06551	0.01160

Heteroskedasticity-robust standard-errors in parentheses

*Note: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$*