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RESOURCE

Ballot Measure Resource

Ballot Measures: Overview

In many cases, federal funds, like those authorized by the infrastructure law, may not be enough to cover the costs of needed investments or are contingent on matching dollars from non-federal sources; to meet this need, many local leaders are exploring ways to tap into new and existing funding sources, including ballot authorized revenue streams.

Locally authorized funding and financing mechanisms, like those approved via ballot measures (also known as referenda or referendums), can form a critical part of the capital stacks for local infrastructure portfolios. Similar to other forms of locally sourced funding, funding authorized by these means can be leveraged with formula and discretionary grants to advance projects.

In 2024, the Eno Center for Transportation [tracked 120 transportation ballot measures](#), of which 75% passed, consistent with the rate of support of previous years. Transportation funding measures on the ballot in 2024 included authorizations of bond financing and tax provisions, all of which would provide funding to go toward an array of infrastructure projects.

If a community is not in the habit of voting for a regular bond package or millage, then pursuing a ballot measure may seem like a daunting task given the political, economic, and legal considerations. This Local Infrastructure Hub resource is intended to provide local leaders with an introduction to ballot measures, specifically those geared towards financing capital, operating, and maintenance costs for infrastructure, and hopefully encourage more local leaders to consider this important tactic for accelerating local infrastructure investment.

This resource uses three successful ballot measure campaigns from 2024 to illustrate the process and identify keys to success:

Issue 47 in Central Ohio

The passage of Issue 47, by a 13 point margin (56% voting in favor) authorizes an increased local sales tax to support investments laid out in the LinkUS plan for the greater Columbus region served by the Central Ohio Transit Authority (COTA). This includes expanding the regional rapid transit network and adding 500 miles of sidewalks, trails, and bike paths.

Ballot language:

"Issue #47, if approved, will increase Franklin County sales tax by 0.75%. The revenue will be used to increase public transportation infrastructure in the COTA service area. The tax includes 0.5% that would support LinkUS and 0.25% that would replace a temporary sales tax that is set to expire in 2026."



The Choose How You Move transportation referendum in Nashville, Tennessee

The Choose How You Move referendum, which passed with 65.5% of voters supporting it, authorizes a new local sales tax to fund new bus rapid transit routes, traffic light synchronization, new sidewalks, and other safety improvements.

Ballot language:

Passage of this measure adopted by Ordinance BL2024-427, allows the Metropolitan Government to complete the entire priority sidewalk network when combined with annual capital spending, provide significantly expanded 24-hour public transportation service 365 days a year including frequent service on major routes, add more neighborhood transit centers, improve safety for all roadway users, and upgrade and modernize nearly two-thirds of the city's signalized intersections.

This program's capital cost is estimated to have a current cost of \$3,096,000,000. Once construction is complete, the estimated value of recurring annual operating and maintenance costs is approximately \$111,000,000. The Metropolitan Transit Authority (WeGo), Nashville Department of Transportation and Multimodal Infrastructure, Metro Planning Department, and Mayor's Office, in partnership with other Metro departments, will undertake implementation of the program.

This program will be funded by federal grants, revenues from transportation system fares, debt, and a sales tax surcharge of 0.5%. The tax surcharge will end once all debt issued for the transit improvement program has been paid and the Metropolitan Council determines by resolution that the revenues from the tax surcharges are no longer needed for operation of the program.

Voters were asked to select "for" or "against" the measure.



Proposition 479 in Maricopa County, AZ

Proposition 479, which passed with 59.8% support, authorizes the continuation of a half-cent sales tax in Maricopa County which is dedicated to transit and transportation investments for this area anchored by the City of Phoenix. The measure supports projects outlined in the Regional Strategic Transportation Infrastructure Investment Plan.

Ballot Language:

“Descriptive title of ballot measure: *A measure continuing the current transportation excise (sales) tax to address the regional transportation system by building new freeways, expanding existing freeways with additional access and capacity, constructing streets and intersections, expanding transit by increasing the frequency of bus service, providing additional bus, dial-a-ride and vanpool services and providing for capital rehabilitation of light rail. Revenues will be allocated as follows:*

- a) 40.5 percent to freeways and other routes in the state highway system.
- b) 37 percent to public transportation.
- c) 22.5 percent to arterial streets, intersection improvements and regional transportation infrastructure.

Question submitted to the voters: *Do you favor the continuation of a county transaction privilege (sales) tax for regional transportation purposes in Maricopa County?*

A “Yes” vote has the effect of continuing the transaction privilege (sales) tax in Maricopa County for twenty years to provide funding for transportation projects as contained in the regional strategic transportation infrastructure investment plan.

A “No” vote has the effect of rejecting the transaction privilege (sales) tax for transportation purposes in Maricopa County.”



Three Phases for Ballot Measures

The process of pursuing a ballot measure can be considered in three phases – developing a project plan, obtaining authorization for the ballot measure, and campaigning.

These phases, outlined below and discussed in greater detail in later sections, are not entirely sequential. Instead, they often overlap, particularly when it comes to assembling a coalition, building community support, and developing the ballot measure's legal framework.

Plan Development

Local leaders must develop a clear plan that is informed by meaningful community engagement; plans that are responsive to community needs and desires have a greater chance of success at the ballot box. The plan should define the problem(s) the community is trying to solve, the proposed intervention(s), and the cost of realizing the intervention. Each of those factors, along with legal considerations, will inform the formal ballot measure.

Authorization

State and local laws define how a local government, or residents themselves through petitions, can put a measure on the ballot. These laws vary significantly by jurisdiction. Thus, local elected leaders and advocates need to seek legal advice to understand the pathway to the ballot. State and local laws will likely identify set deadlines for filing requisite paperwork, as well as any necessary financial or legal reporting that must be done.

Campaign

Like any campaign, success is dependent on the ability of local elected leaders and advocates to build and manage an organization that can raise adequate funds to communicate with voters and mobilize support on election day.

Keys to Success

Across localities that have successfully pursued ballot measures to finance infrastructure investments, there are five consistent keys to success:

1. A clearly defined plan is developed with the community and meets the needs of the community; voters need to understand “what” their tax dollars are buying, “why” they should vote for this now, and “who” will be leading the execution of the plan;
2. There is a clear and compelling narrative underpinning the proposal that appeals to a broad swath of the electorate;
3. Local elected leaders champion the measure, providing vocal support throughout the campaign;
4. Advocates invest early in building a coalition and coalescing the financial resources necessary to support organizational and campaign infrastructure; and
5. The campaign has a professional staff and structure.

Plan Development

Prior to the formal authorization process, the planning and design of the plan is analogous to early planning processes for grant applications for infrastructure investments, where local leaders should clearly define the issue to be addressed and the budgetary needs for investing in a solution. Whether it originates from a vision for a major project, a portfolio of projects, or community engagement, the process begins with identifying a proposed intervention to address a defined challenge – more transit routes and/or frequency, better maintenance of city roads, increased bike/ped infrastructure, traffic light synchronization, water and sewer investments, or safety measures. Answering this question requires an active listening campaign with key stakeholders and the broader community. Even if it confirms what local advocates believe, the early engagement process is critical in shaping the development of a detailed plan that clearly defines the issues, illustrates the proposed intervention(s), and gets local residents involved in a process that will ultimately require their affirmation at the ballot box.

“The Prop 479 plan was developed by our regional council of governments, which is led by our regions’ mayors. We started early and spent years developing the plan. We conducted research on the official side and had many stakeholder meetings. We included stakeholders ranging from business leaders to sustainability advocates in the plan development, and many of those stakeholders were then actively involved in the campaign once we transitioned to the campaign work.”

- Mayor Kate Gallego; Phoenix, AZ

Community Engagement

By investing in extensive engagement early on, local elected leaders and campaign advocates can foster a culture of trust and open communication within the community, between the electorate and campaign leaders. Community engagement fosters early buy-in from the electorate as well as the start of a coalition capable of mobilizing support for the ballot measure and requisite campaign. Community-informed design processes ensure the eventual investments are targeted and aligned with community priorities.

Nashville’s Choose How You Move Transportation Improvement Plan, which increased the sales tax by half a penny to fund new transit and transportation infrastructure, was based on ideas culled from over 70 plans developed in Nashville in the past decade – plans which were informed by 66,000 pieces of public input.

In 2018, Nashville voters turned down a ballot measure for new transit and transportation investments; the 2024 campaign leadership heeded lessons learned from that year, particularly voter complaints around the lack of a transparent process for developing the plan. In 2024, local leaders supporting the measure held individual listening sessions with Councilmembers, created both technical and community advisory committees, and began community education and outreach efforts early in the plan’s development. Altogether, these engagements helped develop the final plan and, throughout the eventual campaign, resulted in over 10,100 touchpoints across over 370 events, including 225 detailed transit talks.

In Columbus and the surrounding Central Ohio region, the [LinkUS Initiative](#), led by the Central Ohio Transit Authority (COTA), is demonstrative of the planning, research, and engagement necessary to develop a transportation proposal for the ballot. LinkUS, the regional transportation and development plan to be funded by a local sales tax, is the culmination of nearly a decade of collaboration, engagement, and research led by a partnership between the City of Columbus, Franklin County Board of Commissioners, Mid-Ohio Regional Planning Commission, and the Columbus Partnership. Over the years, this group developed a [Community Action Plan](#), a [State of Mobility Report](#), a [framework strategy](#) to replicate across corridors, and extensive planning documents for three priority corridors. COTA also developed an [outreach toolkit](#) with fact sheets, anecdotal videos from both residents and local leaders, pocket guides, and one-pagers on the project.

The LinkUS Initiative leverages data to support the plan’s narrative. Proponents noted that over 85% of people in Central Ohio drive alone for their commute, and over the next 25 years the region is expected to grow in population by 725,000 – presenting a clear need for a reliable public transit infrastructure that enables residents to maintain their current, or greater, quality of life. Furthermore, planning documents lay out the benefits of providing greater economic mobility through increased access to jobs.

Design processes and discussions may vary based on the category of infrastructure asset(s) being considered. For example, in the case of Bus Rapid Transit (BRT) proposals, like those in Nashville and Columbus, the planning process will inform BRT stops and routes. Alternatively, if the proposal is a set of roadway investments, then it is helpful to define what those investments will look like and where they will be.

Publishing proposed investments, e.g., illustrating them on a map, is a double-edged sword. Voters need and want to know “what” they are being asked to fund, but the project list and map will also clearly show “where” new investment is *not* going. During the planning process, local leaders should be considerate of what neighborhood, or constituency group, is excluded – or may feel excluded – from new investment and the effects those sentiments may have on building a robust coalition. This intentional thought exercise can also help local leaders identify whose voices still need to be heard and improve the final plan.

Projecting Revenue and Expenditures

Ballot measures, like grant applications, require budget plans with cost and revenue estimates. A critical step in this phase of ballot measure efforts includes scoring all revenues and expenditures, including capital, operating, and maintenance costs. Depending on the jurisdiction, the scoring process and/or requirements will be prescribed by state or local law, e.g., a local revenue commission issues a report, or a state entity has to review and approve revenue estimates. Similarly, there may be legal requirements for defining the expenditures, e.g., the MPO or state DOT need to approve the proposal. Local and state law may also require a benefit-cost analysis; whether or not it is required, benefit-cost analyses may be beneficial for advocates to produce so they can demonstrate the return on investment to voters.

The process of scoring revenues and expenditures will also inform the magnitude and type of tax. It will vary by jurisdiction and financial requirements but a range of taxes could be considered, including sales, property, occupational or income, or other special taxes.

Understanding Voter Sentiment

Local leaders must develop an early understanding of the electorate’s position on the question to be put on the ballot. Consumer/voter research, ahead of the start of an official campaign, can provide a comprehensive assessment of baseline support for the measure. In some cases, local transit agencies may already be conducting local consumer research as part of their daily work to market routes and get more riders; this can be a good starting point for local leaders where such data exists. Additional data gathering, like focus groups and polling, could be organized and funded by local advocacy and leadership groups like the local Chamber of Commerce. Altogether, data-backed research methods, including these focus groups and polls, as well as [an election model](#), can be illustrative of a hypothetical outcome based on community sentiment.

Deciding when to go to the ballot

One of the last planning considerations for ballot measures is deciding “when” to pose the question to the community on the ballot with the following two critical considerations:

1. Has the proposal amassed sufficient support from the community?
 - b) Field practitioners recommend that baseline support for the ballot measure be at or above 60% of likely voters before investing in the authorization and campaign processes.
2. When is the best time to put an infrastructure measure on the ballot considering other local dynamics; what else will be on the ballot concurrently such as other tax/bond measures and local/state/national elections?

The timing of a local ballot measure may be limited by state or local law that only allows local leaders to put a measure before voters at certain times, like the November election date or concurrent with other elections.

Decisions on timing of the ballot measure are also dependent on political and electoral considerations – namely those relating to turnout and how the measure interacts politically with candidates and other issues on the ballot. For example, it is usually advantageous to ensure that local ballot measures coincide with the Presidential election, when turnout is highest.

A sophisticated research program, including an election model, can methodologically take into consideration local, state and national variables that influence electoral outcomes. In Columbus, an official noted that advocates for the LinkUS plan considered putting it to the ballot in 2022, however economic circumstances, namely relating to inflationary trends, made it a challenging environment for the measure. As such, they waited until the 2024 cycle to advance it, while continuing planning and community engagement efforts in the interim.

Authorizing the ballot measure

Ahead of moving to finalize the plan and authorize the ballot measure, local elected leaders need to identify who has the authority to levy, collect, and spend the revenue. These authorities may fall under separate entities and will vary by jurisdiction. Frequently, the authority is defined by state law and/or limited by state constitutions, and local leaders also may need to pursue new state legislation to authorize their ability to even pursue a local ballot measure.

In Nashville, former Mayor Megan Barry collaborated with the Nashville Area Chamber of Commerce to support the state's passage of the IMPROVE Act, which allows Nashville, and other localities in Tennessee, to run ballot measures to fund public transit and related transportation infrastructure. The IMPROVE Act opened the door for an unsuccessful 2018 transit ballot measure, and Nashville's successful 2024 ballot measure, the Choose How You Move referendum.

State and local laws may grant authority to the city government, county government, transit agency or others to place a referendum on the ballot. Some jurisdictions have the option of a voter petition to place a question on the ballot. In addition to knowing "who" has the appropriate authority, campaign leaders must also understand the process by which that authority authorizes the ballot measure. State and local laws define how and when votes are taken by local legislative bodies, as well as actions by local election officials, to authorize the question to be on the ballot. These same laws often provide requirements for the text of the referendum question that will appear on the ballot. The authorizing body/individual, as well as potential language requirements, will vary by jurisdiction.

Under Ohio law, Regional Transit Authorities – like COTA – as well as city councils, county commissions, and comparable local entities have the power to propose funding measures. For Issue 47, [COTA's Board of Trustees approved](#) the language for the ballot measure to create a dedicated funding stream for expanding public transit and active transportation networks. It was necessary for COTA to take this action, rather than a local or county government, because COTA's service area crosses multiple jurisdictions and local leaders wanted to ensure that the revenue stream and expenditures accounted for the regional authority's full reach.

In addition to understanding "how" to put an initiative on the ballot, leaders must understand "who" has the authority to collect and spend tax dollars (this is especially true for a new tax). Existing bodies within municipal government may be charged with the implementation of the plan, but in some cases, a new agency or department is established (this may be necessary or advisable in cases with significant system expansions). For example, passage of [Proposition A](#) in November 2020 created the [Austin Transit Partnership](#) "to oversee, finance, and implement [Project Connect](#)," which includes a new, 27-mile light rail system.

Local campaign leaders must engage appropriate legal counsel, such as the city or county attorney, on questions pertaining to who has the requisite authorities necessary for the ballot measure, as well as for how taxes will be levied, collected, reported, and audited. Local leaders should request a clear legal memorandum from local legal authorities that formally spells out the answer to these questions, as well as any necessary prerequisites (i.e., financial plans, benefit-cost analysis, and tax projections).

Voters are always looking for clarity and transparency and want assurances that their hard-earned tax dollars are spent effectively and efficiently. Local leaders benefit from robust and transparent communications throughout the authorization process and on the outcomes of necessary economic and financial analyses. Local leaders should consider existing and potential accountability measures to support this, such as open records policies or community oversight boards.

Organizing and executing an effective ballot measure campaign

Getting the measure authorized to be on the ballot is only a small part of the broader effort to enable and leverage new funding. Once the plan is complete and the path to the ballot is clear, or complete, it is imperative to stand up a robust advocacy group with professional staff. Candidly, a ballot measure campaign requires a political home.

Structurally, a ballot measure campaign will be similar to candidate- or issue-oriented campaigns, with political action committees (PACs), along with 501(c)(3) and 501(c)(4) organizations, having roles to play. It will be imperative for the campaign effort to have strong connections to a local and vocal elected official or community leader, be it a mayor, county commissioner, councilmember, etc. When setting up the campaign, the first step will be establishing the legal entities to manage and advocate for the policy measure (PAC, 501(c)(3) and/or 501(c)(4) organizations). The organizational needs will vary by jurisdiction. For example, if there is a local campaign finance entity, as is the case in Maricopa County, then it may be most effective, and a legal requisite, to have a dedicated PAC that is locally registered. 501(c)(3) and 501(c)(4) organizations are registered with the Internal Revenue Service (IRS) at the federal level and have distinct reporting and compliance requirements.

C3 vs. C4 vs. PAC

C3

501(c)(3) organizations are nonprofit organizations which are purely educational and charitable. These organizations are strictly prohibited from engaging in any political campaign activities, such as endorsing or opposing candidates. However, non-partisan voter education efforts and get-out-the-vote drives are allowed, provided they do not show bias or directly support or oppose the ballot measure – e.g., they can educate the public on why we need more transit but they can't say "vote for Measure ABC." 501(c)(3) organizations can be effective at building long-term support through educational and public awareness campaigns. Additionally, after the campaign, it may be appropriate to use a 501(c)(3) to continue educational and awareness campaigns relating to the new infrastructure investments.

C4

501(c)(4) organizations are nonprofits that can engage in political campaigns on behalf of or in opposition to ballot questions, provided that such intervention does not constitute the organization's primary activity. 501(c)(4) organizations can serve as an additional avenue for directing financial resources and driving advocacy efforts given their different reporting requirements, compared to PACs.

PAC

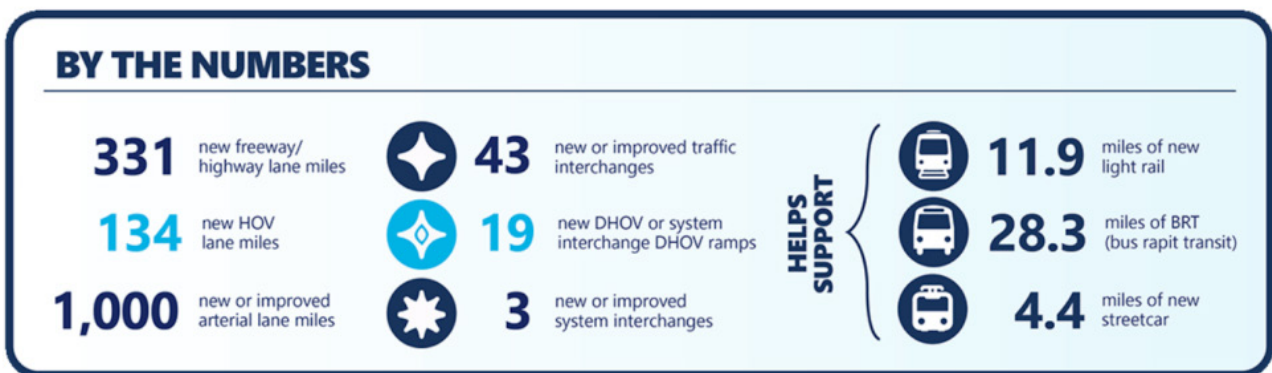
As it pertains to ballot measure campaigns, Political Action Committees, or PACs, are governed by state and/or local law with varying levels of permissible activities, restrictions, and reporting/compliance requirements. While federal PACs can only contribute to federal candidates and/or parties, state and local PACs can contribute to and support local ballot initiatives.

The work of these entities as well as their legal compliance with federal regulations is critical for a successful ballot campaign. To ensure compliance with regulatory and ethical mandates, campaign teams, as well as relevant government staff, should engage with appropriate legal counsel to ensure that the organizational and operating structures are legally sound, including the communication channels between government staff and the outside entities.

Across these organizations, there are crucial roles to be filled – namely around research programs, messaging development, paid and earned media operations, and fundraising. Often these roles are filled by consultants who specialize in their respective subject areas.

While the voter messaging and communications strategy will vary by community and proposal, there are several considerations that can inform this persuasion effort. First, for a ballot measure campaign to be successful, it must appeal to the full electorate, and not just those who use the infrastructure asset. This can best be summed up by demonstrating the investment as a public good, not just an investment for the benefit of a small group within the community. For example, in the case of transit assets, as was noted by Josh Cohen, a political consultant who has worked on transit-related ballot measures in numerous jurisdictions, “if you don’t ride the bus or train, your customers do; the business owner might not use it, but their employees do.” In other words, even if an individual does not use the proposed asset on a daily basis, they are still going to indirectly benefit from it.

In Maricopa County, this appeal to the fuller electorate was captured in the campaign for Proposition 479, which was unique from the other two ballot measures discussed in this resource as it reauthorized an existing local sales tax. As such, advocates in support of the measure could point back to existing infrastructure assets that were funded by the prior iterations of the authorization in 1986 and 2004. By pointing to that evidence of prior investment, along with the specific investments that would be enabled by extending the revenue stream, the campaign was able to demonstrate the tangible impact of a vote in support of the measure, regardless of which component of the plan a voter was going to benefit from – whether it be freeways or transit investments.



Secondly, the most persuasive part of a proposal may not always be the biggest piece of it. In Nashville, polling and voter research showed the local community was most excited by a (relatively) smaller investment in traffic light synchronization compared to larger investments in transit. This sentiment in Nashville was captured in a [successful ad campaign](#) focusing on the benefits of light synchronization and other investments in reducing traffic. Campaign leaders should not let the division of spending in the proposal dictate the strategy, particularly given that the community and constituencies may prioritize aspects of the plan differently.

In a similar vein, a consultant to the Proposition 479 campaign in Maricopa County noted that campaign leaders in similar ballot measure efforts should build their campaign around the message that can be a common thread to all corners of the electorate and ensure a robust support base, even if it is not the primary policy goal. Message discipline and a clear narrative for the proposal that addresses community needs will help advance the winning cause.

Marjorie Pomeroy-Wallace, Mayor Freddie O’Connell’s Chief of Staff, highlighted the breadth of Nashville’s Choose How You Move plan and the city’s communications strategy. She noted that the communications strategy focused on demonstrating the benefits to all street users through the Choose How You Move plan’s “4 S’s” – sidewalks, signals, service, and safety.

Loss-aversion messaging, focusing on the connection between local tax dollars and large pools of federal or state funding, can also be effective. In Maricopa County, since Proposition 479 reauthorized an existing revenue stream (rather than create a new stream), advocates could emphasize the investment opportunities that would be missed without a continuation of the local revenue stream. In Central Ohio, the loss-aversion messaging theme emerged from the fact that funding authorized by the measure will serve as the local match for a Small Starts award under the Federal Transit Administration’s Capital Investment Grants program in COTA’s work to establish new BRT routes.

Broader economic growth and investment trends that bring jobs to a region can also be persuasive to the electorate. Central Ohio expects to add 1 million residents by 2050, creating the need for expanded infrastructure capacity to ensure physical and economic mobility for current and future residents. Furthermore, [Intel's investment](#) in two new factories in the Columbus area creates a need for transit connections to emerging regional job hubs. In Maricopa County, investors made it clear that continuing development activities in the region were effectively contingent on a continuation of investments in transportation infrastructure, which depended on passage of Proposition 479.

What comes next?

Once the measure is passed, next steps will be dependent on the authorization itself in terms of when the new revenue stream and authorized work can begin. Proponents of the measure should be prepared for legal challenges and ensure that they respond appropriately; this is where compliance work done during the plan development phase and throughout the campaign will come in handy.

While there has been an unprecedented level of federal funding for infrastructure in recent years, it does not meet demand – as evidenced by the American Society of Civil Engineers' [Infrastructure Failure to Act Report](#) and consistent applications for grant programs in excess of available funding. Ballot measures are one way to generate and use local dollars to continue to address America's infrastructure needs. Ballot measures are intensely local and allow residents the strongest voice in how their tax dollars are spent. Local elected leaders are the best advocates for ballot measures, and together with the community, can make a lasting difference in infrastructure that increases quality of life, climate resiliency, and economic opportunity.