



## **RESEARCH MEMORANDUM**

To: Sen. Matt Claman, Alaska State Legislature

From: Center of Innovation, The Council of State Governments  
Ben Reynolds, Senior Research Analyst  
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Re: Your request of Feb. 21 for an analysis of State Variations in Veto Override Procedures, with a focus on Appropriation Bills.

Date: Feb. 23, 2024

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### **Executive Summary**

This memo provides an analysis of how different U.S. states manage gubernatorial veto overrides, particularly on appropriation bills and laws. While all states allow their legislatures to override gubernatorial vetoes, the mechanisms, thresholds and special provisions vary, especially as they relate to appropriation items.

### **Method of Research**

CSG conducted a 50-state scan of state constitutions and state legislative websites. The scan was conducted by searching for language referencing veto, veto overrides, appropriations and emergency measures.

### **Findings and Analysis**

An aspect of veto overrides regarding appropriations is the distinction made between general legislation and appropriation or budget-specific legislation. Some states have unique provisions that alter the override threshold based on the bill type.



Most states require a two-thirds vote from both legislative chambers to override a gubernatorial veto. However, this threshold can vary. Seven states require a three-fifths<sup>1</sup> vote and six states only require simple majority<sup>2</sup>, while Alaska requires a combined two-thirds vote in a joint meeting of its legislative chambers.

States such as Alaska, Arizona, Illinois, Ohio, Oklahoma and West Virginia have specific rules that change the veto override threshold depending on the bill's nature, including appropriations, tax bills and emergency bills.

**Arizona veto override threshold:** Overrides require a two-thirds vote in both chambers. Emergency measures require a three-fourths vote, according to [AZ Const. art. IV. § 1\(3\)](#).

**Illinois veto override threshold:** A three-fifths vote in the General Assembly is needed to override a veto for all bill types. For appropriation bills, when the governor reduces the amount of any item, a majority vote suffices to restore the original amount, according to [IL Const. art. IV, § 9](#).

**Ohio veto override threshold:** Three-fifths vote is required for general bills, per [OH Const. art. II § 16](#). Bills pertaining to tax levies, appropriations for current expenses of the state government and emergency laws only require a two-thirds vote of each branch of the general assembly, according to [OH Const. art. II § 1\(d\)](#). Since the [OH Const. art. II § 16](#) states “In no case shall a bill be repassed by a smaller vote than is required,” the veto requirement for tax levies, appropriations for current expenses of the state government and emergency laws only require two-thirds of both chambers of the General Assembly.

**Oklahoma veto override threshold:** A two-thirds vote is necessary for veto overrides, with emergency measures requiring a three-fourths majority, according to [OK Const. art. V. § 58](#).

**West Virginia veto override threshold:** A simple majority vote of both chambers is usually required to override the governor's veto; however, for appropriations bills, a two-thirds vote is required, per [WV Const. art. VI § 51\(d\)\(1\)](#).

### Other Resources

- “Veto overrides in state legislatures” by Ballotpedia:  
[https://ballotpedia.org/Veto\\_overrides\\_in\\_state\\_legislatures](https://ballotpedia.org/Veto_overrides_in_state_legislatures).
- FiscalNote “State-By-State Guide to Gubernatorial Veto Types”:  
<https://fiscalnote.com/blog/state-by-state-guide-to-gubernatorial-veto-types>.

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<sup>1</sup> Delaware, Illinois, Maryland, Nebraska, North Carolina, and Ohio require 60% to override a veto.

<sup>2</sup> Alabama, Arkansas, Indiana, Kentucky, Tennessee and West Virginia only require 51% to override a veto.



- “How A Bill Becomes a Law” by the West Virginia Legislature:  
[https://www.wvlegislature.gov/Educational/Bill\\_Becomes\\_Law/Bill\\_Becomes\\_Law.cfm#:~:text=Overriding%20a%20Veto,necessary%20to%20override%20the%20Veto.](https://www.wvlegislature.gov/Educational/Bill_Becomes_Law/Bill_Becomes_Law.cfm#:~:text=Overriding%20a%20Veto,necessary%20to%20override%20the%20Veto.)
- National Conference of State Legislatures, General Legislative Procedures, “The Veto Process”:  
[https://documents.ncsl.org/wwwncsl/LegislativeStaff/ASLCS/ILP/98Tab6Pt3.pdf.](https://documents.ncsl.org/wwwncsl/LegislativeStaff/ASLCS/ILP/98Tab6Pt3.pdf)