

While the Federal Government Slows Its Legislative Action, States Keep Pace with Over 100,000 Bills Introduced in 2023

2023 State Trends Report |



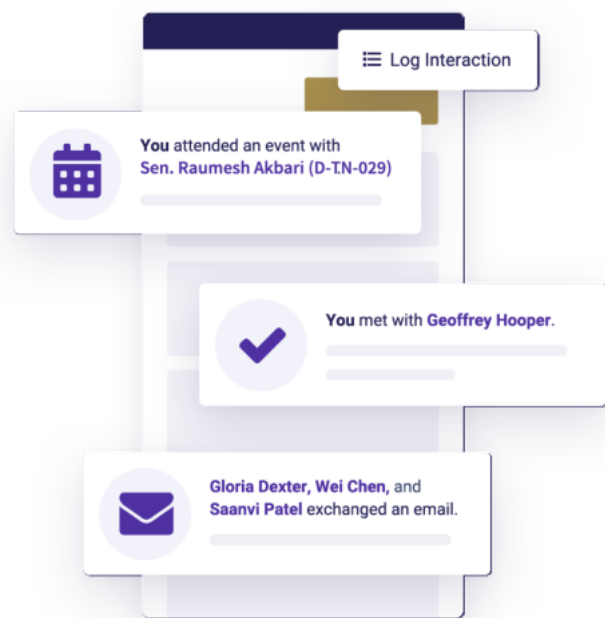
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While the Federal Government Slows Its Legislative Action, States Keep Pace with Over 100,000 Bills Introduced in 2023

The first year of a new legislative session always brings heightened action. In the 2021-2022 cycle, states introduced nearly 50% more bills in the first session than the second session. For state government affairs teams, that means 50% more bills to identify, assign, and follow. So far in 2023, there have been 104,359 bills introduced and 14,538 enacted with sessions still active in 12 states (not counting potential special sessions). This new cycle kicked off after a 2022 state election cycle that saw relatively minimal change. Only four chambers flipped party control in the states.

Earlier this year, Quorum surveyed over 200 government affairs professionals about what they anticipated for the year to come. A resounding answer was that there would be a larger focus on state legislative affairs. Another common thread was that one of the greatest challenges facing government affairs programs was that “There is too much legislative and regulatory activity to track.” Now seven months later, how have those predictions for the year to come panned out? Let’s dig into the data to find out.



Methodology

The data in this report covers legislative activity and dialogue from January 1 to July 31, 2023. Data is collected and analyzed using Quorum State, a legislative tracking and legislative engagement platform for public affairs teams. Dialogue on X, formerly known as Twitter, includes official legislative accounts and campaign accounts. To learn more about Quorum State, visit quorum.us/state.

State Bills Introduced Each Session Hold Steady — Despite State Teams Feeling an Increase in Focus Compared to Federal Legislative Activity

Year (Jan. 1 - July 31)	Bills Introduced
2020	64,353
2021	103,736
2022	64,484
2023	105,359

Knowing that the first year of a session always sees more activity than the second, for this reference we'll compare 2020 to 2022 and 2021 to 2023. 2022 saw only .2% more bills than 2020 — 131 total bills. 2023 saw only 1.5% more bills than 2021 — 1,623. So yes, the number of bills is increasing, but at a minuscule rate.

Therefore, on the surface, it would appear that the claim that teams are seeing increasing state legislation that needs tracking may appear over-dramatized. However, a few theories could back up the experience that lobbying and advocacy teams are having — even with the total number of bills fairly constant:

- **There's more money at stake:** With a flurry of major legislation passed in 2021 and 2022 from the Biden administration providing infrastructure funding, alongside COVID relief money from past years, the potential impact of legislation is higher for an organization lobbying for inclusion, raising the stakes.
- **The scope of the legislation has increased:** With this theory, while the number of bills stays constant, the weight of a given bill's influence could be higher. There's no strong measure of a bill's impact to compare this metric, but it would align most to the feeling of the industry.

- **The federal government is doing less, meaning lobbying teams have to play whack-a-mole:** We know for a fact that the federal government is passing less legislation, and it's causing an impact on states — we'll dig into the influx in legislation on hot topics like abortion later in this report. So while this may not change the number of bills introduced, it's more difficult for lobbying and advocacy teams to influence the same issues. Whereas previously they may have been able to have a smaller team engage the 535 members of Congress on an issue, they now need to engage 7,000+ state legislators to achieve the same policy results.

100,000 bills is a lot — let's dig in to which states saw the most action, how social media compared to legislative activity, and which issues topped the priority lists.

From January 3rd to July 31st, 2023, Congress introduced 7,800 bills and enacted just 10 of them. During the same period in the 117th Congress, the legislature had enacted 26 bills.

Minnesota and Florida See Significant Swings in Bills Introduced Compared to 2021

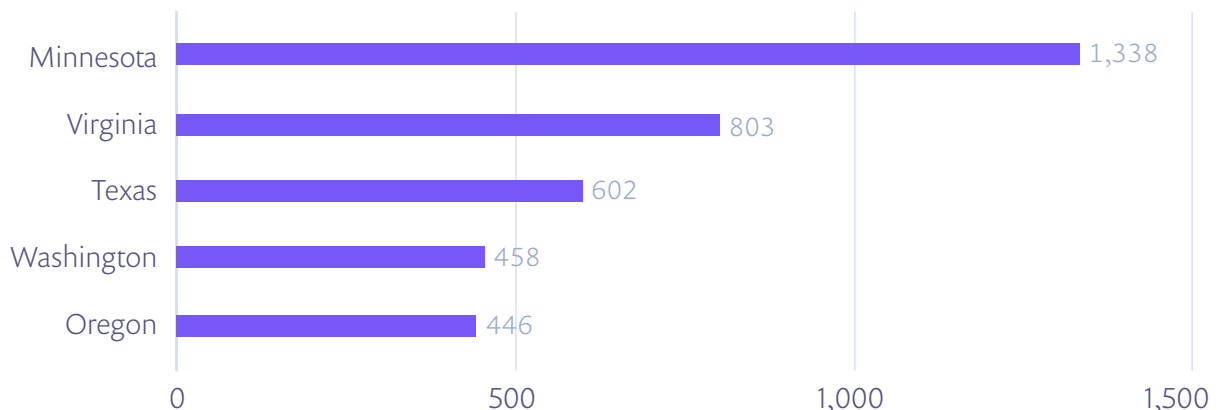
While nationwide bills are fairly constant cycle to cycle, a few states did see big swings.

Minnesota in particular saw the highest net-increase in bills introduced compared to 2021. In 2021 from January to July, Minnesota's 201 legislators introduced 5,364 bills. In 2023, that number grew to 6,702 (a nearly 25% increase). What may have caused this change? Minnesota had a new trifecta in 2023 with control of the Senate turning blue as a result of the 2022 elections. With power concentrated in one party, the legislature passed major legislation on topics ranging from a \$43

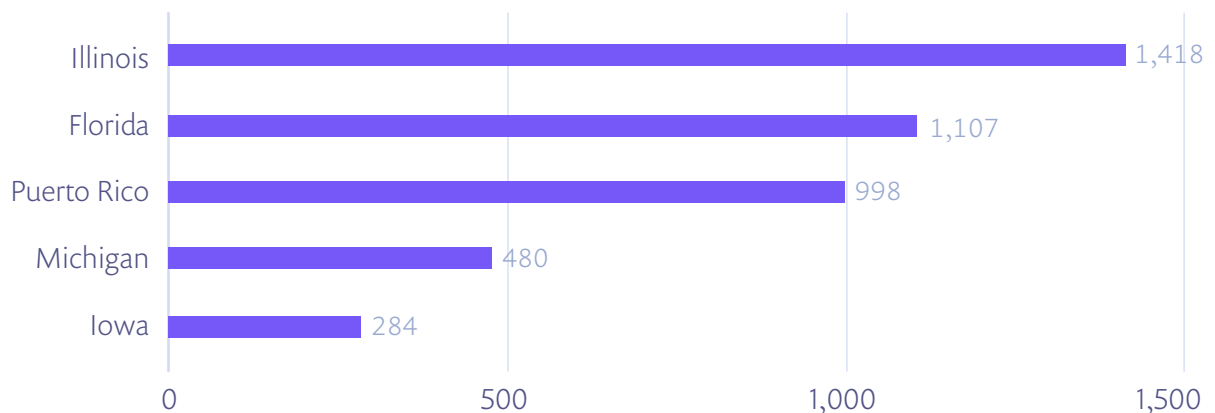
billion tax cut bill to paid family and medical leave and the legalization of recreational marijuana.

Meanwhile in Florida, the legislature had one of the greatest drops in cycle-over-cycle bills introduced. In the first seven months of 2023, the Florida legislature introduced 1,657 bills — 1,107, or 40%, less than the same period in 2021. The difference? Special sessions. The Florida legislature officially only meets for 60 days, but in 2021 there were five additional special sessions throughout the calendar year to discuss topics the legislature deemed time-sensitive, including redistricting and COVID-19 mandates. In 2023, there was one special session for a week in February to discuss issues including hurricane relief and Disney's specialty district.

Highest Net Increase in Bills Introduced from 2021 to 2023



Highest Net Decrease in Bills Introduced from 2021 to 2023

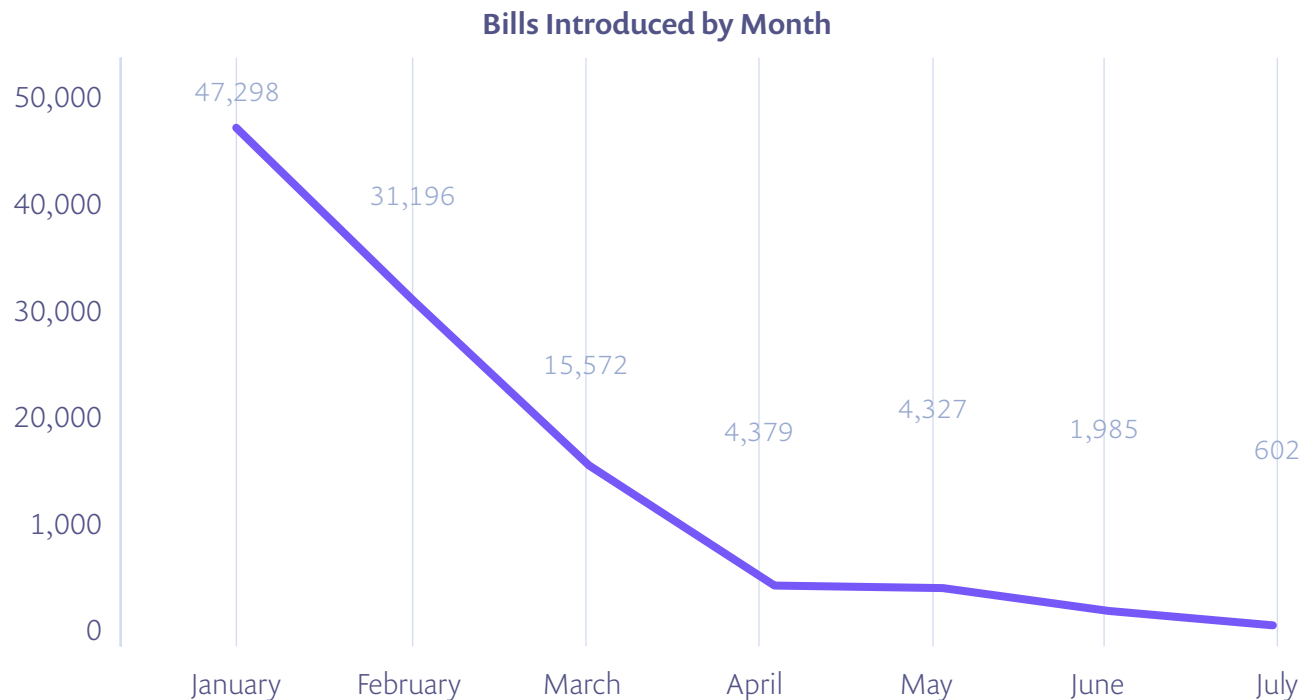


| TRENDS IN LEGISLATIVE ACTIVITY IN STATES

An interesting factor in this trend is the role of Governor Ron DeSantis, a candidate in the Republican presidential primary. In the past, special sessions have been used for the most newsworthy issues, some claim

with the intended result of giving DeSantis more news coverage. Now with DeSantis on the campaign trail, some legislators are calling for him to return to Florida to resolve outstanding legislative issues this year.

45% of Bills Introduced in the First 31 Days of the Year, Compared to .6% in July



Like we've come to expect that the first year of a two-year legislative cycle will see more bills introduced, so have we come to know that January will see the highest percentage of bills introduced. But just how high? In 2023, 45% of all bills introduced so far were put on the record in January. July, in comparison, saw only 602 bills (.6%). Overall, 89% of bills were introduced in the first three months of the year.

In 10 states, the whole session is over by the end of March. On the other end of the spectrum, 12 states are still in session at the time of publishing this report in August.

For public affairs teams, this means paying close attention to preparing in the lead up to state sessions. Once those bills start to hit the floor, you've got to be ready for action. Here are a few strategies the most

successful teams implement in the six month lead up to a new session to prepare for January's influx:

- **Re-Map Stakeholders:** Evaluate which of your stakeholders have changed status. Have any of your detractors moved to neutral? Have any of your champions declined in their support of your organization? How did your engagement strategies impact your stakeholders' alignment to your organization?
- **Nurture Your Advocates:** Just because there isn't legislation moving, doesn't mean you shouldn't keep up communication with advocates. Send them educational content to keep them engaged with your brand. Consider sharing new training resources for them to become more engaged next year. Run a get-out-the-vote campaign in the lead up to the 2024 elections.

- **Continue Social Media Monitoring:** The policy conversation doesn't stop when sessions do, especially if they are impacted by current events. Make sure you continue to monitor social media platforms and the news on mentions of your organization or issue.
- **Report on Your Impact:** You're likely doing reporting to show your organization's leadership the impact you had in 2023, but this can also help build your 2024 strategy. Which channels sourced the most advocates for your state campaigns? Which team members were most effective in turning their

assigned legislators into champions? Take their strategies and build them into your new year plan.

- **Consider New Technology:** Taking on new technology is a big step, but there's a lot of advancement in public affairs technology every year. Use the time between state legislative sessions to evaluate what's out there and make sure you're using the best tools for your goals. Key things to consider — the speed and quality of state legislative data, the customer success you'll receive with your product, and how it helps you prove your team's ROI.

Massachusetts Has a New Democratic Trifecta — But is Historically Slow to Pass Bills

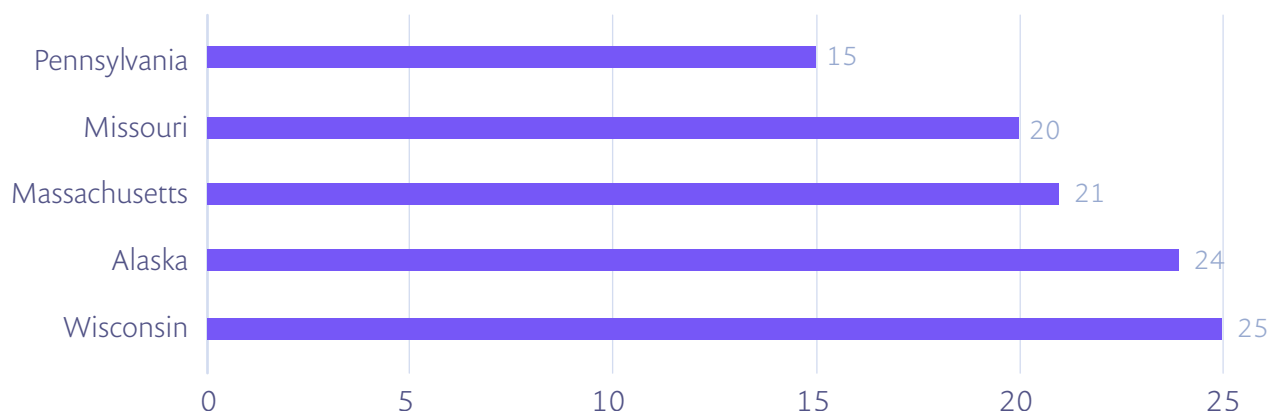
Pennsylvania has enacted the fewest bills so far in 2023 with just 15. But, Massachusetts takes the title by percentage, enacting just .31% of its 6,858 bills introduced.

Despite a newly-earned trifecta with Democratic governor Maura Healey elected in 2022, state leaders cite the over-reliance on massive omnibus legislation as the driver of the slow uptake of bills. While it would make sense to have fewer bills passed when each of those bills contains significant legislative changes, they are also moving at a slow pace. According to the Boston Globe, this is likely the least productive legislative session in at least 40 years.

How should public affairs teams adapt? When legislation is packed in omnibus bills, tracking legislative movement becomes a less fruitful process. Instead, look for a system that has robust dialogue tracking as legislators discuss new amendments to bills on social media, in press releases, or in the news.

Massachusetts is one of 12 states still in session and one of six states whose session calendar runs through the first week of January 2024. Of the five states with the lowest bills enacted, only Missouri and Alaska are already adjourned for the year.

States with Fewest Total Bills Enacted

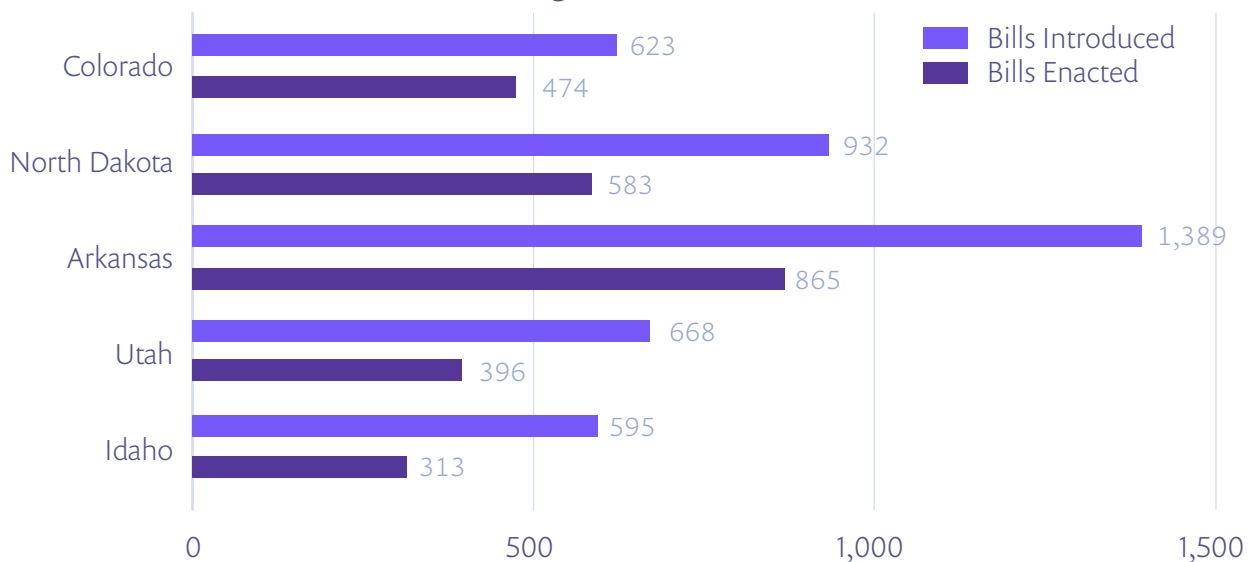


Colorado Enacts 76% of Bills — Most by Any State by 12.5%

Colorado Governor Jared Polis may have a tired hand from signing 474 bills into law over the course of the state's 120 day session. Part of this feat of passage came from Democrats' control of power in the state, with Democrats outnumbering Republicans 46-19 (a supermajority) in the House and 23-12 in the Senate (a near supermajority). Of the bills that failed, several came from Democrats pushing too far left that even members of their own party weren't in agreement, according to analysis by Brownstein Hyatt Farber Schreck.

Of the 10 states that have enacted the most legislation, only Alabama is still in session, with a special session running through August 16th. With limited days in session, legislators are likely more careful with what legislation they choose to introduce and spend time on, and many bill ideas end up on the cutting room floor even before the session is gaveled in. Public affairs teams should use engagement opportunities outside the session calendar — like site visits— to work to get their issues on the top of the priority list.

States with Highest % of Bills Enacted



Key Issues in States in 2023

States are busy in 2023, often with legislation that governs social issues such as mental health, LGBTQ+ rights, and the legality of abortion. Many of these are deeply polarizing and often spark passionate partisan debate, which is likely to carry into next year's election.

More Than 1,000 Mental Health Bills Pass Nationwide

Few topics have dominated the agenda in state legislatures like the need to address mental health services. It's an issue that impacts many other policy areas, such as gun control, homelessness and healthcare, and one where need is easy to demonstrate.

State lawmakers have responded in force to address mental health issues, an impressive effort for the sheer volume alone. Legislators introduced almost 7,000 bills that mention "mental health" in the first half of 2023 and approved 1,125 pieces of legislation, according to Quorum data. It is the third year in a row that more than 1,000

In many cases, these are also issues that have not been fully addressed by Congress, leaving states — whether directly or indirectly — to set the law of the land. As might be predicted when more than 50 jurisdictions set policy, the outcomes vary widely.

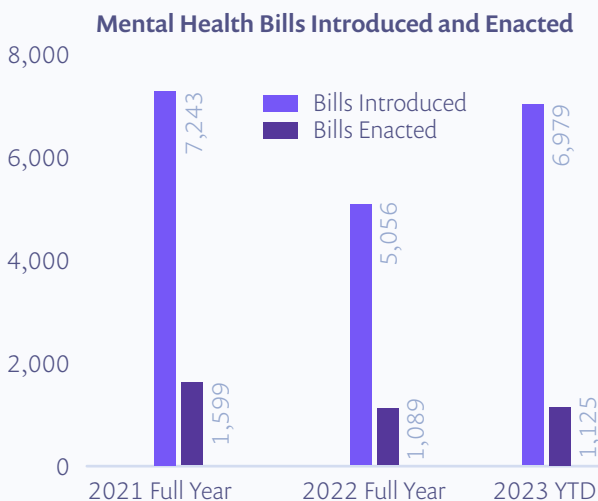
mental health-related bills have been signed into law nationwide. Utah, Illinois, Virginia, Colorado, and Texas all approved more than 50 mental health bills in 2023 alone.

Mental health is also a major topic of discussion, sparking thousands of tweets by state lawmakers, some of them highly personal.

"18 years ago, I almost made a decision to end my life," wrote Rep. Mike Schlossberg (D-PA) in a 2020 post that remains pinned to the top of his page to this day, adding that "you can find your way home. As long as you breathe you have hope. Please remember that in your worst days."

A Flood of Mental Health Bills

More than 19,000 mental health bills have been introduced in state legislatures nationwide in the last three years. More than 1,000 bills have passed each year.



State Gun Bills Increase After Federal Action

State lawmakers introduced more than 1,200 gun bills in the first half of 2023 after Congress passed the Bipartisan Safer Communities Act last summer, the first substantial federal firearms legislation in almost 30 years.

The federal bill was enacted just days after a school shooting in Uvalde, Texas, in which an 18-year-old gunman killed 19 children and two adults. The bill allowed extended background checks for gun buyers under 21; allocated hundreds of millions of dollars to help states implement “red flag” laws to keep guns from dangerous people; and directed money to other school and community programs designed to stop violence. The bill did not address a ban on assault-style weapons and other regulations supported by gun control advocates.

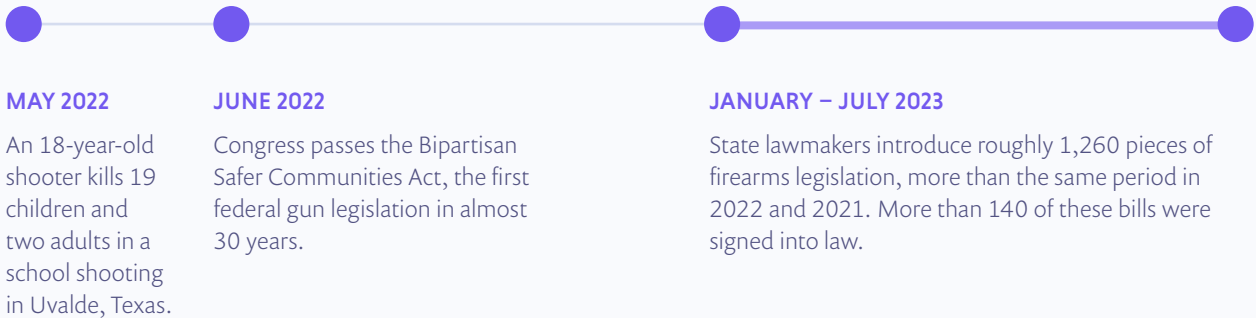
Despite the federal legislation, gun laws remain largely the province of state legislatures, where a patchwork of laws have taken hold across the country. Some states are making it easier to obtain, carry, and use a gun while others are making it more difficult. The issue remains active in many state legislatures.

Lawmakers introduced 1,262 bills mentioning guns from January to July, more than the 1,106 introduced during a similar period in 2021 and the 792 in 2022, according to Quorum data. More than 140 of those bills were signed into law this year.



State Gun Bills Keep Coming

Thousands of state gun bills have been introduced in the last three years and more than 500 have been enacted since 2021. This year, state bills followed action in Washington DC last summer, when Congress passed the first federal gun bill in almost 30 years.



Data Privacy Bills Almost Doubled

Legislatures in 42 states introduced 260 bills to address data in the first half of this year, nearly twice the number filed in all of 2022, according to Quorum data. Fifty-five of those bills were approved.

While it is common for fewer bills to be introduced in even years in many states, the 2023 number is also up 38% over the number of bills filed in all of 2021.

Data privacy laws are hot right now because they have a broad impact on how businesses operate and how the government protects consumers. While major social media platforms made headlines in recent years over how they use consumer data, this year's state bills

were focused more closely on the information practices surrounding health and education.

The states with the most data-privacy bills were Minnesota, Massachusetts, Illinois, Texas, and New York, and Democratic lawmakers drove the majority of the action. For example, Sen. Andrew Gounardes (D-NY) authored a bill to protect the privacy of children and teens online.

“While the push for federal action is always great, we can’t sit idly by waiting for Congress to act,” he tweeted in February. “I’m committed to making New York a national leader in the fights to reduce child poverty and protect our kids online.”



Senator Andrew Gounardes
@Sen_Gounardes

While the push for federal action is always great, we can't sit idly by waiting for Congress to act. I'm committed to making New York a national leader in the fights to reduce child poverty and protect our kids online.

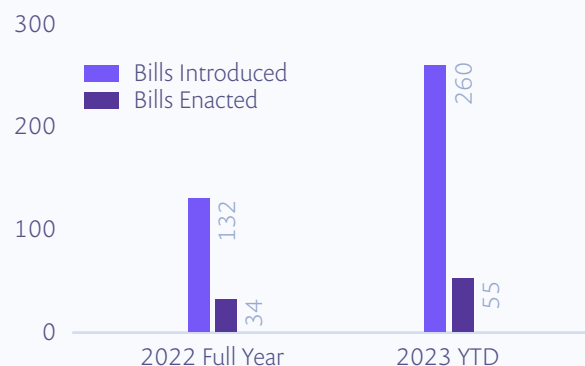
9:35 AM · Feb 8, 2023 · 285 Views



Data Privacy Bills Increase

The number of data privacy bills introduced by lawmakers almost doubled in the first half of 2023 over the full-year totals for 2021 and 2022.

Data Privacy Bills Introduced and Enacted



Legislatures on the Front of America's Culture War

States have continued to address a flood of legislation aimed at LGBTQ+ rights, including bills to regulate access to gender-affirming healthcare, bathroom use, participation in youth sports, and other issues.

While Republicans have introduced bills to limit these rights in recent years, the action in 2023 was dominated by Democrats, who both introduced and passed three times more bills aimed at transgender rights than Republicans, according to Quorum data.

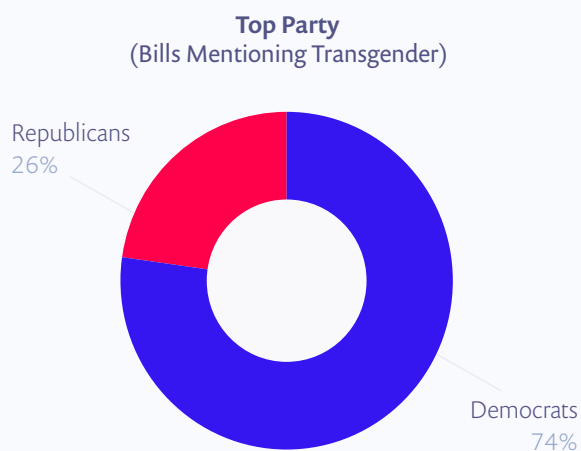
Roughly 385 bills on transgender rights were introduced in the first half of 2023, following 371 during a similar period in 2021 and 240 in 2022. More than 60 were signed into law this year. Blue states including New York, Massachusetts, and California saw the most bill introductions. In Nevada, the only state where women make up the majority of the legislature, nine bills were passed addressing transgender rights.

Legislation addressing LGBTQ+ rights was also well represented in 2023, with 571 bills introduced this year, more than the 481 introduced in a similar period in 2022 and 557 in 2021. Roughly 117 bills were passed this year.

Civil rights organizations such as the American Civil Liberties Union have begun tracking state bills on the issues. “In the last few years, states have advanced a record number of bills that attack LGBTQ rights, especially transgender youth,” the organization says on its website. “While more states every year work to pass laws to protect LGBTQ people, state legislatures are advancing bills that target transgender people, limit local protections, and allow the use of religion to discriminate.”

Democrats Fight Back

The number of bills introduced to address transgender rights was dominated by Democrats in the first half of 2023.



States Continue Battle Over Abortion Rights

The fight over reproductive rights continued to rage in state capitals this year after the U.S. Supreme Court eliminated the constitutional right to an abortion last year, upending a federal law that had held for almost 50 years and effectively turning abortion law over to state legislatures.

What ensued in many states was a rush to clarify state laws, resulting in a nationwide patchwork of bans, restrictions, and protections that vary by locale and can be complicated to understand. The matter goes beyond a simple yes or no, delving into issues such as consent, parental involvement, public funding, insurance coverage, provider qualifications, medical methodology, and many other policy areas.

More than 1,000 abortion-related bills were introduced in the first half of 2023 — more than the same period in 2021 and 2022 — and 166

were signed into law. Interestingly, Republicans and Democrats are almost evenly matched in both introductions and approvals.

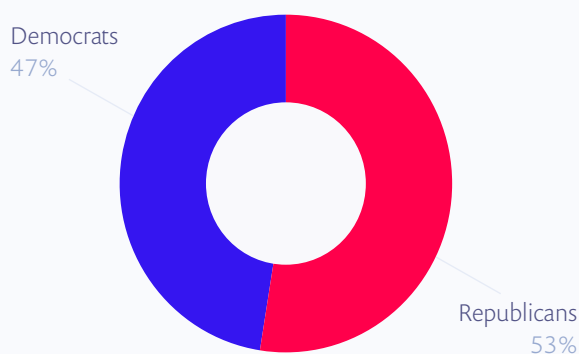
June marked the one-year anniversary of the Supreme Court decision, which fueled an already vibrant debate on the issue. For example, Assemblywoman Buffy Wicks (D-CA) has tweeted about abortion rights almost 1,200 times, according to Quorum data.

“Today marks a year since SCOTUS gave anti-abortion politicians the power to ban abortion in states across the US,” she wrote on the June 4 anniversary. “CA has been fighting to counter these attacks—by protecting and expanding abortion access. And we will not stop until we have reproductive freedom for ALL in America.”

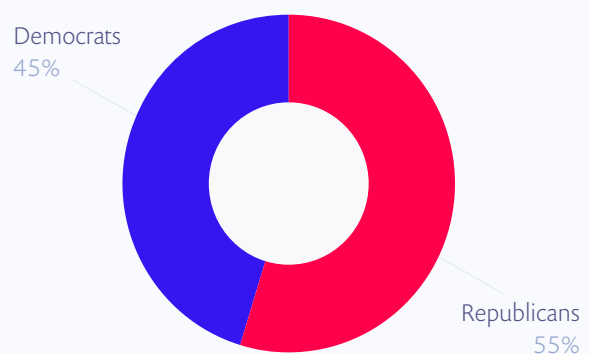
Partisan Parity on Abortion

Democrats and Republicans were represented almost equally as lawmakers from both parties introduced more than 1,000 pieces of legislation.

Abortion Rights Bills Introduced by Parties



Abortion Rights Bills Enacted by Parties



Pandemic-Related Bills are Slowing

More than three years after the COVID-19 pandemic arrived in the United States, killing more than 1 million Americans and altering everything from education to workplace etiquette, the number of new state bills introduced to address recovery issues continues to slow down.

In the first year of the pandemic, governors and state lawmakers rushed to address everything from mask and quarantine policy to the flood of funding provided to states by Congress. Now, with a large majority of Americans vaccinated and business largely returned to normal, that action is cooling.

In 2021, state legislatures introduced 5,840 pieces of pandemic-related legislation and approved a whopping 1,195 bills. In 2022, those numbers were 3,299 introductions and 583 approvals, lower but still a great deal of lawmaking. In the first half of 2023, legislatures introduced 1,231 bills and approved 350, continuing the downward trend.

That doesn't mean that state problems related to COVID-19 are over. In fact, far from it. For example, the elimination of the national Public Health Emergency, which allowed states to provide public benefits more freely, is now causing states difficulty as they return to a more stringent system. Many state Medicaid programs, for instance, are now struggling to officially renew each recipient annually, a process that was suspended during the pandemic.

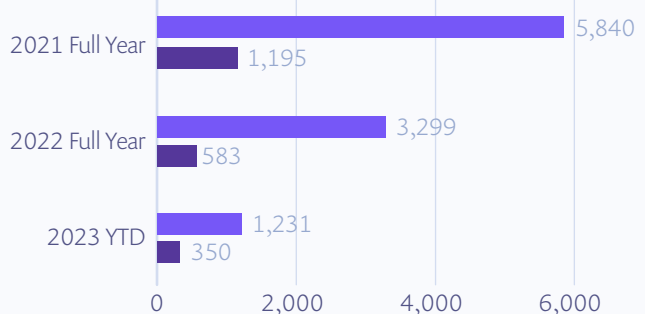
At the same time, some sources say there's also no guarantee, despite all of the legislation in recent years, that states are better equipped to handle the next pandemic. A Washington Post analysis this year found that at least 30 states have limited public health authority to mandate masks, school closures and other measures.

"Conservative and libertarian forces have defanged much of the nation's public health system through legislation and litigation as the world staggers into the fourth year of covid," the Post wrote.

Fewer Pandemic Bills Every Year

As America gets farther from the arrival of COVID-19 on U.S. soil, state legislatures are addressing fewer pandemic-related bills each year.

Party Breakdown: Social Media Usage



State Legislatures on Social Media

With approximately 7,000 state legislators, scrolling your X, formerly known as Twitter, feed isn't enough to keep up with what's happening across the policy

landscape. Dive into the trends in social dialogue in 2023 below, and consider a social media monitoring tool for your state government affairs team in 2024.

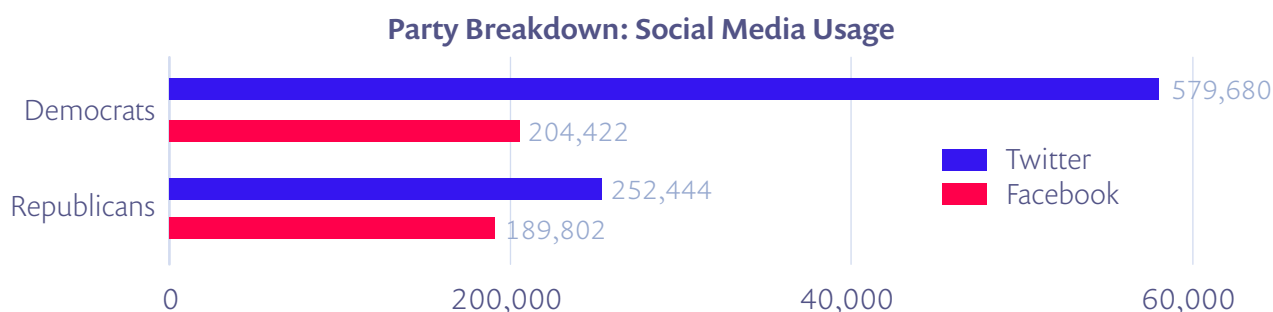
Democrats Outpost Republicans on Social – Despite Being Outnumbered by 20% Among State Legislators

Legislators overall post much less on Facebook — 394,224 posts compared to 859,579 tweets. But, Democrats post nearly as much on Facebook — 204,422 times— as Republicans do on X— 252,444. Republicans have a much more even split between the two platforms, tweeting just 8% more than posting on Facebook.

Democrats high numbers on social media come despite the fact that there are fewer Democrats overall who hold state legislative office. In 2023, there are 4023 Republican legislators compared to 3,269 Democratic legislators — a difference of 20 percent. 94 legislators have no party or a third party affiliation.

State Democrats' most common reposted account is @POTUS, with 1,230 reposts. For Republicans, the most common repost is Republican presidential hopeful @VivekGRamaswamy. The right-wing party has also @-mentioned @elonmusk over 1200 times.

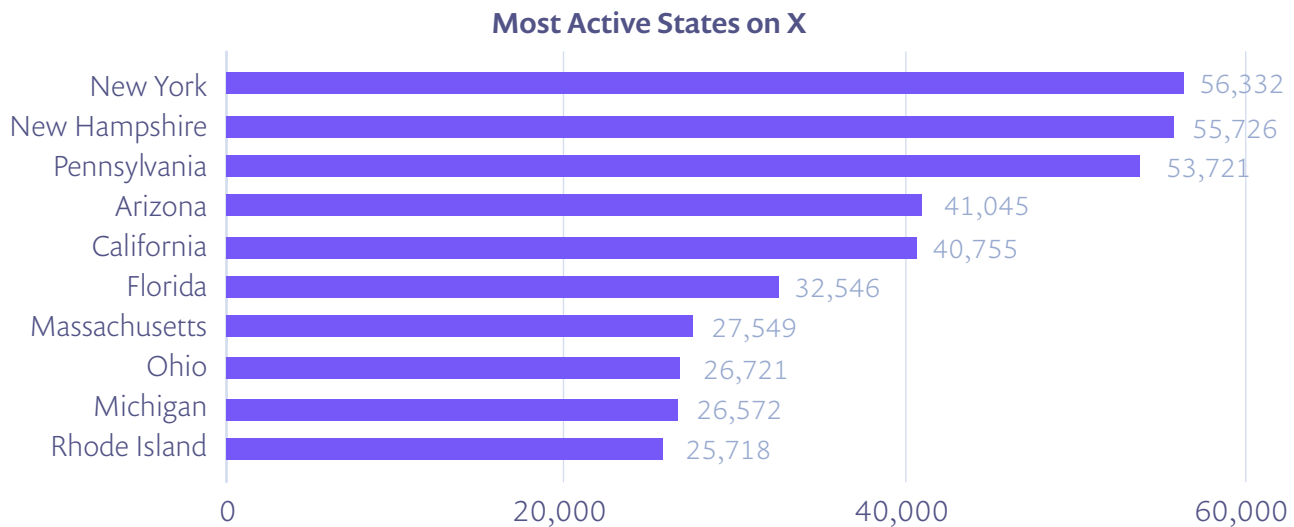
Neither party is significantly using hashtags for messaging purposes. The most common hashtags are used to identify their state, like #txlege, #nhpolitics, and #mnleg.



New York Tops States on X

Despite having half as many officials as New Hampshire, New York’s assembly members post most frequently on X among all states. New York’s legislators average 264 posts per legislator in the seven months analyzed in this report, while New Hampshire’s legislators average 131 posts per person. Budget debates drove a spike in dialogue in New York in March, with over 10,000 posts in the month, 1200 of which mention “budget”. Democrats were posting about new programs that they deemed necessary to include in the budget, while Republicans criticized delays in delivering a budget given Democrats hold a majority in the upper chamber, lower chamber, and governor’s office.

Arizona is the only legislature with less than 100 members that cracked the top 10. The Grand Canyon State’s 90 legislators posted an average of 456 times.



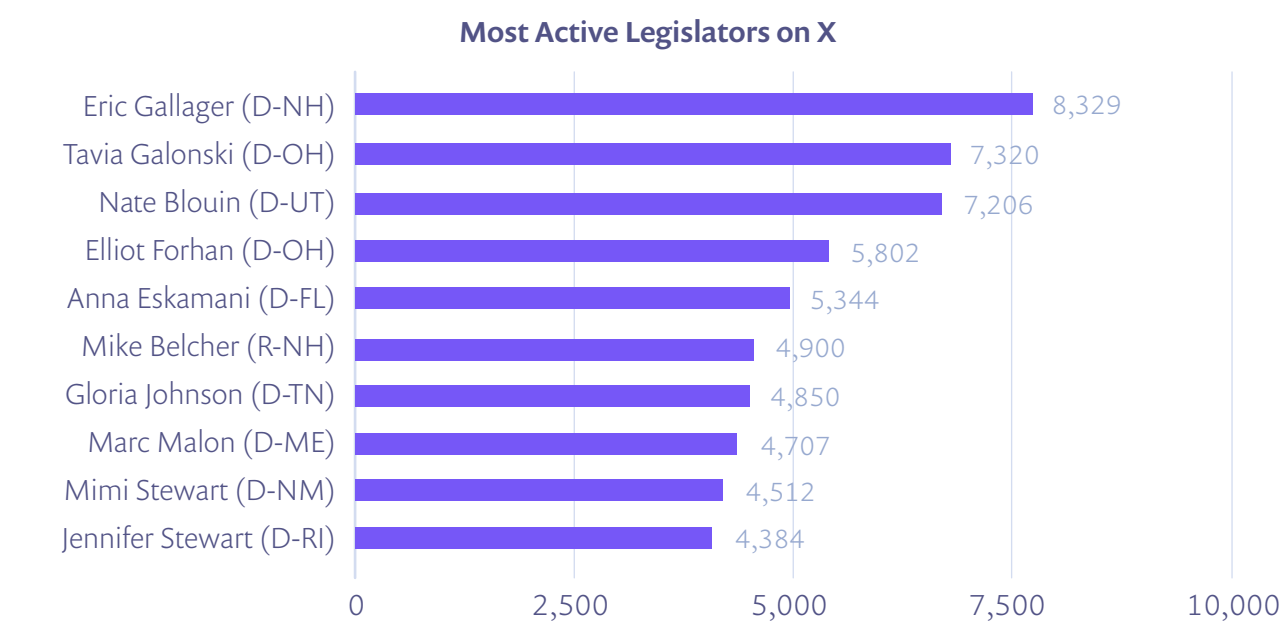
Legislator Live Posts NH Sessions

New Hampshire Rep. Eric Gallager (D-NH) is the most active legislator on X with 8,329 posts — over 1000 more than the second most active. One of the ways he drives volume — he live posts sessions. This includes everything from what bills are being considered, how many members are absent, votes, and his views on the bills being considered.

But beyond live-posting, Gallager’s X presence doesn’t match your average elected official. While at the federal level, legislators have official personal and official

accounts that are clearly differentiated, those rules are less strict at the state level. And at the federal level, “personal” mostly means campaign — often sharing similar views as their official account, just with donation links mixed in.

In Gallager’s case, the account much more closely mirrors the personal accounts of a regular X user. He mixes in analysis of his political views with posts about his art and the video games he’s currently playing.





egallager@treehouse.systems
@cooljeanius

New Hampshire House is in session today; the budget's been getting a lot of attention lately, but I'm not actually seeing it on our schedule for today? There're still plenty of other bills for today, tho, including SB132, the antisnactuary bill. Livetweeting as usual. #NHPolitics

9:29 AM · Jun 8, 2023 from Concord, NH · 923 Views



egallager@treehouse.systems
@cooljeanius

"members take your seats please"

10:02 AM · Jun 8, 2023 from Concord, NH · 57 Views



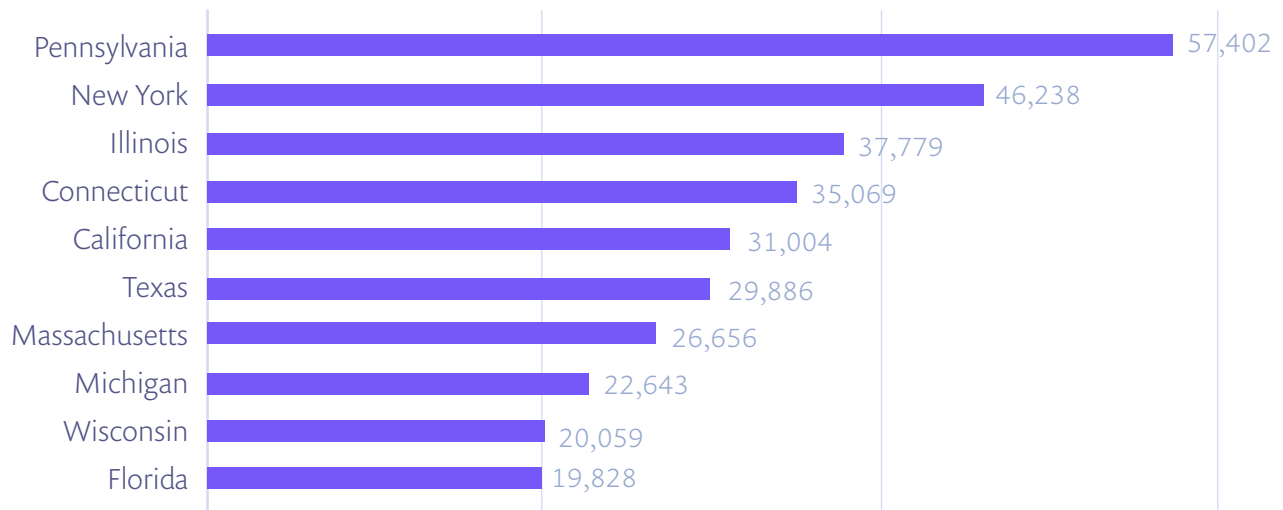
Most Active States on Facebook

Senator and former gubernatorial candidate Doug Mastriano pushes Pennsylvania above the rest of the country in Facebook activity with his 1,243 posts in the first seven months of 2023. Mastriano's posts are fairly diverse, ranging from photos of what's happening at the capitol to discussing local businesses in his district. One consistent series is frequent posts recognizing veterans and military events that took place "On This Day" in history.

Overall, June was the busiest month for Pennsylvania legislators to post, with the I-95 highway collapse (and subsequent repair), state budget, Pride Month, and SCOTUS decisions all driving traction on the social media platform.



Most Active States on Facebook



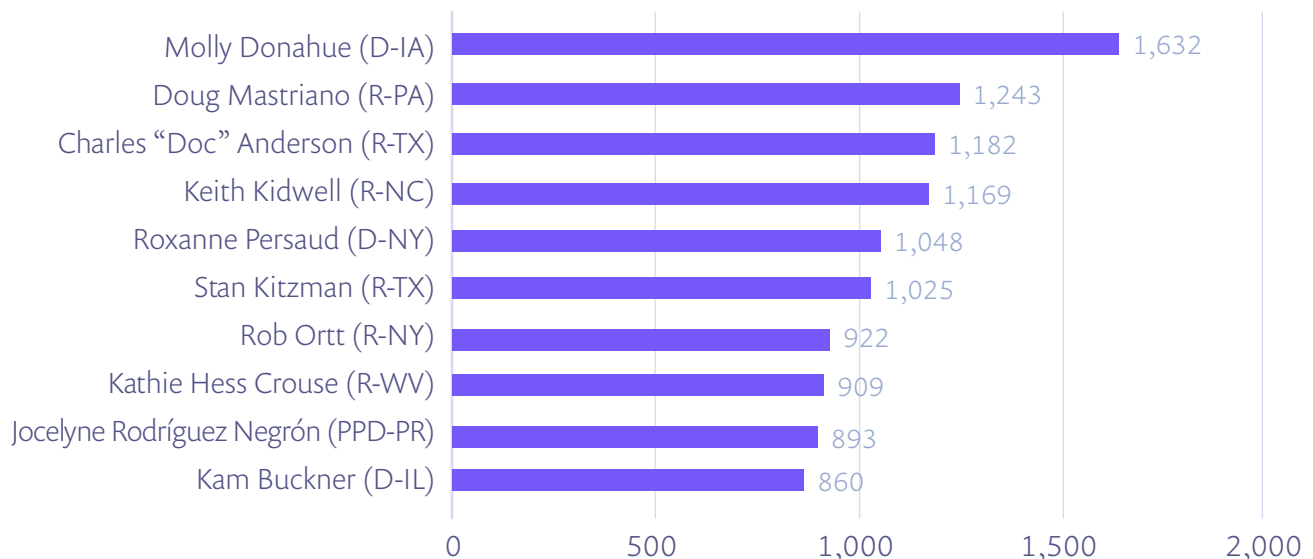
New Face Tops Most Active on Facebook

In the last iteration of our report, Sen. Mastriano has topped the most active legislators on Facebook nationwide. This year, a new name tops the list — Iowa Senator Molly Donahue. Donahue is a newly elected senator, previously serving in the Iowa House of Representatives since 2019.

Even as legislative activity declined in July, Donahue’s Facebook posting ramped up. She posted more in July (294 times) than any other month. Her posts range from informational (like upcoming events, local heat warnings, and school registration deadlines) to strong political stances against Gov. Kim Reynolds and the Republican party.



Most Active Legislators on Facebook



Governors on Social Media

Wisconsin Governor Tony Evers Leads the Pack on Social

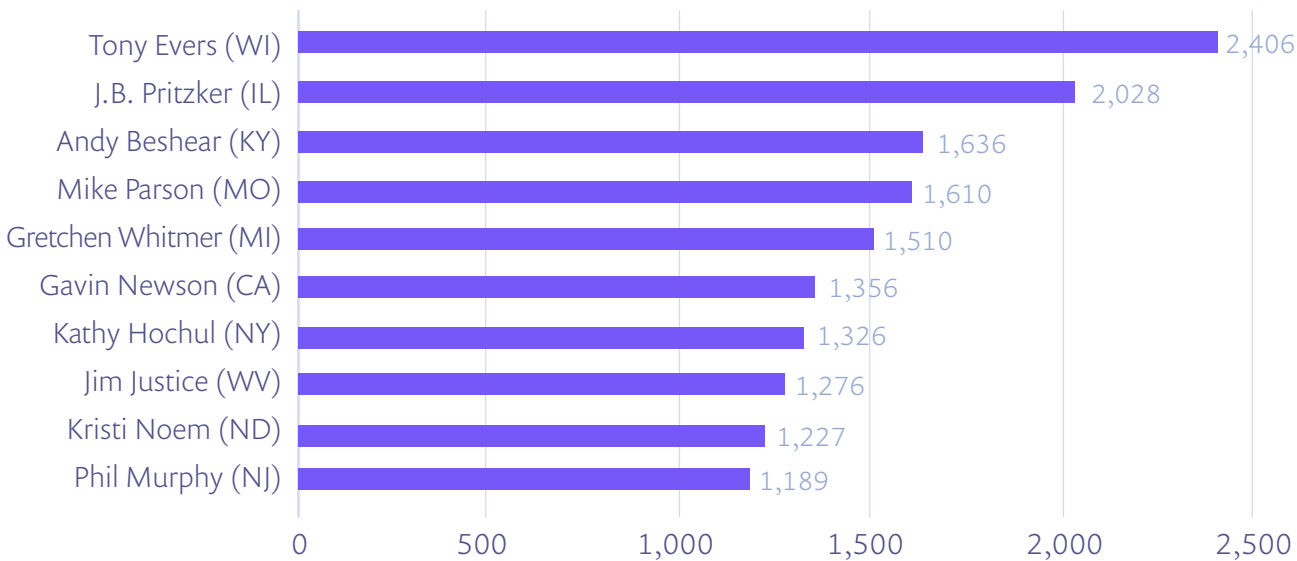
While state legislators’ social media usage often looks much more like a regular citizen — sharing not only their political views but their hobbies, family activities, and more — governors’ usage much more closely matches the activity of members of Congress on social media. Take the two most active posters from each party:

Evers’ social usage mostly focuses on spreading his political message. In 2023, he often includes the hashtag #TogetherWILL, a theme and slogan he introduced during his State of the State address in

January. After each main issue section of the speech — covering topics like infrastructure, mental health, educational outcomes, and the state budget — Evers ended with the phrase “Together We Will”.

For Missouri Governor Mike Parson, the most active among Republicans, social media is a practical platform used to distribute important information to residents. Parsons’ posting peaked in March as severe weather hit Missouri and surrounding states. Parsons enacted several Executive Orders for emergency response and used his social platforms to share weather warnings and resources. He also frequently posts about local businesses and those visiting the state’s capitol.

Most Active Governors on Social Media (X and Facebook)



Sneak Peek

Did you know Quorum also tracks mayors and other city and county officials? See a demo of Quorum Local to see how your issues are being discussed on social media at the municipal level. (Hint: Mayor Sylvester Turner of Houston, TX has posted more than any other mayor this year — and by a lot. Turner has 4,171 posts in 2023.)

How Quorum Can Help

Whether you're engaging state legislatures through lobbying or advocacy, Quorum has tools to help you get information and execute strategy — all in one place.

- **Map the policy landscape** with all the state policy information you need, from bills to dialogue, news, officials, and staff.
- **Track changes to your state policy landscape** with fast alerts and tracking tools as new information is introduced on your issues.
- **Create change in the policy landscape** with tools to engage legislators and stakeholders and organize grassroots advocacy campaigns that move the needle
- **Report on your impact** across all 50-states with robust auto-updating reporting tools that can help show off your work to leadership and inform adjustments to your strategy

Use Quorum State to map, track, change, and report on your organization's policy landscape.

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