



ADVANTAGE, INCUMBENT
INVESTIGATING THE POWER OF MONEY AND
INCUMBENCY IN THE 2006 STATE LEGISLATIVE
ELECTIONS

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OVERVIEW

Would you show up to play a high-stakes and potentially expensive game in which your opponent had a 92 percent chance of winning? It's a challenge many candidates for state legislatures face when they try to unseat incumbents.

An analysis of state legislative races held in 2005 and 2006 highlights that, in most instances, the key to victory in a legislative election is to be in office already. In others, having a fund-raising advantage almost assures electoral victory. In nearly every state, having one or both of these advantages all but guarantees victory at the ballot box.

Among the findings for the 2006 cycle:

- Legislative incumbents have a virtual lock on their seats. Only 405 of the 5,292 incumbents seeking re-election in the same seat lost their race, meaning 92 percent of incumbents were re-elected.
- In the game of politics, money translates to victory. Eighty-four percent of all winning legislative candidates raised more funds than their opponents.
- Only 7 percent of winners held neither advantage of fund raising or incumbency.¹
- Some candidates can run the table against their opponents: of all the candidates that held the dual advantage of incumbency and larger war chests, only 4 percent of them lost. In fact, more than two thirds of all winning candidates, or 69 percent, held the dual advantage.
- Eighty-eight percent of the nation's legislative races featured at least one incumbent candidate on the ballot.
- Many races are competitions in name only. About one-third of all winners had no opposition in the general election, while one-fourth of all candidates faced no opposition in both the primary and the general elections.²
- Half of the country's elections for open seats came in the 14 states with legislative term limits.

¹ The Institute defines an incumbent as a candidate who currently holds a statewide, state legislative or judicial office.

² These figures include candidates that did not raise money or did not raise enough to be required to file disclosure reports.

METHODOLOGY

The National Institute on Money in State Politics analyzed the power of incumbency in two ways. To determine the rate of success for incumbents seeking election, the Institute took the number of incumbents who won divided by the total number of incumbents that ran. For example, 88 of 100 incumbents seeking election won, which equals an 88 percent success rate. (See Appendix B for a state-by-state breakdown of this type of incumbency advantage.)

To determine how many winners were incumbents, the Institute divided the number of incumbents that won election by the total number of all winners. For example, 88 incumbent winners divided by 112 total winners means 79 percent of winners were incumbents. (See Appendix A for a state-by-state breakdown of this type of incumbency advantage.)

The Institute defines an incumbent as a candidate who currently holds a statewide, state legislative or judicial office. This advantage is applied even if the incumbent candidate is running for a different office, such as a house member running for the senate.

Fund-raising advantage goes to the candidate that raised the most funds in the race for that specific seat. If two or more candidates were elected to a district, the fund-raising advantage was given to as many of the top fund-raisers as seats up for election. In the event of a tie in fund raising, the advantage was given to both candidates.

For the purpose of this study, states with legislative elections in odd-numbered years are included in the next even-numbered year's election. For instance, all states with elections in 2005 are included in the 2006 cycle discussions and tables.

PREVIOUS CYCLES

An analysis of all state legislative races from 2002 to 2006 re-affirms the enormous power of money and incumbency in determining the outcome of elections. In comparing the similar election cycles of 2002 and 2006, the Institute found that the correlation between fund-raising success and incumbency has increased or stayed the same nationwide and that those two factors remain among the most important indicators in determining electoral victory.

Comparisons of state legislative elections in 2002, 2004 and 2006 cycles show that:

- In the 2002 cycle, 82 percent of winners raised more money than their opponents. Candidates with a fund-raising advantage held steady in the two subsequent cycles, with 84 percent of winners raising more than their competitors in 2004 and 83 percent in 2006.
- Over the last three cycles, 92 percent of winners were either incumbents or held a fund-raising advantage. In the 2004 and 2006 cycles, 93 percent of winning candidates held one or both advantages, while 91 percent of winners held one or both advantages in 2002.
- Many winners across the country over the last three cycles have been incumbents *who also* raised more money than their opponents. In 2004 and 2006, 69 percent of winning candidates were incumbents who also raised more money, an increase from the 2002 election, where 64 percent of winners held both advantages.

- The success rate of incumbents running for election has increased slightly since 2002, when 89 percent of incumbents won. In 2004 and 2006, 92 percent of incumbents won.

STATE CAPSULES

Highlights from the analysis of the 2006 election cycle:

- In **Georgia**, which had 236 seats up for election, 99 percent of incumbents seeking election — or 207 out of 210 — were victorious. Incumbents predominantly held the money advantage, with 201 winning incumbents raising more money than their opponents. Most election winners faced little opposition: 69 percent of winners — or 163 of 236 — had no general-election opposition and 55 percent — or 129 of 236 — faced no opposition in both the primary and the general.
- In **Massachusetts**, where 200 seats were up for election, 98 percent of incumbents seeking election — or 181 out of 184 — were victorious. Incumbents predominantly held the money advantage, with 178 winning incumbents raising more than opponents. In more than half the elections, contributions were not needed to secure victory, as 67 percent of winners faced no general-election opponents and 63 percent of winners faced no opposition in either the primary or the general. Despite the lack of competition on a majority of legislative races, the average winning candidate in the state raised \$88,000.
- **North Dakota** had the lowest percentage of incumbents that won election. Out of the 61 incumbents, only 47 emerged victorious, giving officeholders in the state a 77 percent re-election rate. This is in stark contrast to **Arkansas**, where 81 out of 82 incumbents won election, a 99 percent success rate. Candidates in North Dakota were also much more likely to face opposition in the state, with only eight election winners unopposed in primary and general elections.
- In **Illinois**, 90 percent of winners in 2006 were both incumbents and raised the most money. Sixty-two candidates faced no opposition in either the primary or the general elections, and 73 candidates were unopposed in the general.
- **New Hampshire** refuses to be trod upon by national trends. During the past three legislative elections in New Hampshire — which has the fourth largest legislative body in the world — there have been 1,273 state legislative election winners. The state is an anomaly because of the number of winning candidates and the number of candidates that often win without raising enough campaign contributions to be required to report with state. In 2006, more than 400 candidates were elected to the state's General Court, more than half of whom were not required to report contributions. In the other states, only 45 candidates won election without raising enough in campaign funds to be required to report contributions.

THE INCUMBENCY ADVANTAGE

The 2006 legislative elections were typical in that the majority of legislative races featured an incumbent running either for re-election or for a seat in a different chamber.

In the 35 states without term limits that held state legislative elections in the 2006 cycle, only 9 percent — or 438 of 4,777 legislative races — were open races that did not feature an incumbent running in the primary or general elections. In states with term limits, 23 percent of all elections, — or 348 out of 1,539 — were open races. Taken together, 88 percent of the nation's legislative elections featured an incumbent candidate on the ballot.

More than 5,400 candidates who held office in the previous cycle ran for state legislative office, with more than 5,000 — or 92 percent — emerging victorious. Ninety-eight percent of incumbent legislators ran for re-election to the same seat they held.

In 2006, 27 incumbents challenged other incumbents who were running for re-election. Seven of those “incumbent challengers,” or 26 percent, ousted the sitting incumbent. Incumbents challenge other incumbents when members choose to run for a seat in a different chamber, such as from House to Senate, or when redistricting alters the legislative map.

Of the 106 incumbents who ran for open seats in 2006, 97 ran for open senate seats. Incumbents running for open seats were victorious 68 percent of the time.

Some incumbent candidates faced no opposition:

- Thirty-one percent of all incumbent winners were not challenged in the primary or general elections.
- Thirty-six percent of all winning incumbents faced opposition only in the primary election.

New Hampshire and North Dakota were the only states where less than 80 percent of the incumbents that sought election emerged victorious, with 78 percent and 77 percent success rates, respectively. Thirty-eight states saw more than 90 percent of incumbents that sought office taste victory. Eight states saw between 80 percent and 90 percent of the incumbents that ran win election. (See Appendix B for more information.)

THE FUND-RAISING ADVANTAGE

Winning the fund-raising battle remained a key factor for victorious candidates in 2006, with 83 percent of all winners — or 5,266 out of 6,316 — holding the fund-raising advantage.

The presence of an incumbent in the race helped dictate slight differences in rates of electoral success. In the absence of an incumbent candidate, fund-raising success was less of a factor. In the nearly 800 races with no incumbent in the field in 2006, 76 percent of winning candidates — or 611 out of 799 — raised more than their opponents. In contrast, races that featured an incumbent were won by the candidate that raised the most money, 84 percent of the time — or in 4,664 of 5,530 races.

But money does not guarantee victory. In 2006, 12 percent of the losing candidates raised more than their opponents. Eighty percent of the losing candidates with a fund-raising advantage, or 685

of 856, either challenged incumbents or ran for open seats. Of the losing non-incumbent money winners, 72 percent — or 492 of 685 — challenged incumbents seeking re-election. Twenty-eight percent of candidates that were losing non-incumbent money winners — or 193 of the 685 — sought open seats.

When looking at how much the average winner raised in each state it becomes apparent that the more the victor raises, the more likely that candidate will emerge victorious.

- In the 16 states where the average winner raised more than \$100,000, 91 percent of the winners had a fund-raising advantage.
- In the 17 states where the average winner raised between \$40,000 and \$100,000, 89 percent of winners had a fund-raising advantage.
- In the 15 states where the average winner raised less than \$40,000, 70 percent of the winners had a fund-raising advantage.

INCUMBENCY AND FUND-RAISING ADVANTAGE

Sixty-nine percent of winning candidates — or 4,349 out of 6,316 — held both a fund-raising and an incumbency advantage. In 44 states, more than half of all winners held both an incumbency advantage and a fund-raising advantage. In nine states, more than 80 percent of all winners enjoyed both advantages. Only 4 percent of candidates that held the dual fund-raising and incumbency advantage lost their election — or 171 out of 4,520.

The vast majority of winners were either incumbents or raised the most money. Just 7 percent of winning candidates — or 433 out of 6,316 — had neither advantage. Twenty-one percent of candidates that held neither advantage and won — or 90 out of 433 — came from the state of New Hampshire. Eighty of these candidates did not even raise enough money to report contributions. Many of the other candidates that won despite having neither advantage — or 29 percent of these winners — came from states with legislative term limits.

TERM LIMITS

The powers of incumbency are diminished in the 14 states with legislative term limits³ that held elections in the 2006 cycle. In these states, 26 percent of the races were open, compared to 10 percent in the states without term limits. In fact, 47 percent of the country's open seats were in these 14 states. (See appendices for states with limits.)

In the races for open seats in states with term limits, 348 races had no incumbent candidates, with 76 percent — or 263 — of the winners raising more funds than their opponents. Fifty-seven races, or 14 percent of the open seats in states with term limits, featured incumbents seeking election to a new office. Of these 57 races, 46 — or 81 percent — were won by an incumbent. Seventy-six percent of winning incumbents running for open seats — or 35 of 46 — raised more than their opponents.

However, candidates that raised the most funds enjoyed a similar rate of victory — 84 percent in states without term limits and 83 percent in states with term limits. In the open races in the states

³"The Term Limited States," *National Conference of State Legislators*, Updated February 2006, <http://www.ncsl.org/programs/legismgt/about/states.htm>; accessed Apr. 21, 2008.

with term limits, 75 percent of the candidates that raised the most money — or 300 out of 401 — were victorious. In the open races in the states without term limits, 78 percent of the candidates that raised the most money — or 357 out of 458 — were victorious.

PUBLIC FUNDING OF ELECTIONS

As Connecticut gets ready to roll out its statewide public funding of elections this year, Arizona and Maine, with similar systems already in place, have already felt the effects public funding had on the advantages in incumbency and fund raising.

In 2006, both states fell well below the national standard in fund-raising advantage. In states without any public funding of elections, 84 percent of the winning candidates held a fund-raising advantage. In Maine and Arizona, winning candidates raised the most money just 55 percent and 63 percent of the time, respectively. Candidates participating in the public-financing system in these two states raised nearly equal amounts, regardless of who won or lost.⁴

In the 48 states without publicly funded elections during the 2006 cycle, 91 percent of the incumbent candidates won election. Candidates in Arizona and Maine had a slightly lower victory rate: 89 percent and 88 percent, respectively.

⁴ “State Elections Overview 2006,” *National Institute on Money in State Politics*, Mar. 13, 2008, available from <http://www.followthemoney.org/press/ReportView.phtml?r=358>; accessed Apr. 11, 2008.

APPENDIX A: MONEY AND INCUMBENCY ADVANTAGE IN LEGISLATIVE RACES, 2002-2006

STATE	% OF MOST MONEY WINNERS			% OF INCUMBENT WINNERS			% WITH ONE OR BOTH ADVANTAGES		
	YEAR	2002	2004	2006	2002	2004	2006	2002	2004
Alabama	93	—	91	74	—	82	93	—	96
Alaska	89	84	88	67	82	76	95	96	90
Arizona*	66	70	63	56	72	81	87	89	90
Arkansas*	87	91	95	64	68	69	91	93	95
California*	92	95	92	61	73	59	92	97	93
Colorado*	87	87	95	67	70	65	93	92	95
Connecticut	90	90	87	80	88	88	96	96	96
Delaware	90	88	90	87	90	87	95	92	94
Florida*	93	99	90	68	86	68	94	99	92
Georgia	87	90	95	72	73	88	90	92	98
Hawaii	93	78	81	50	84	77	96	92	88
Idaho	78	82	87	58	79	80	89	91	94
Illinois	95	96	95	75	94	90	97	98	96
Indiana	92	91	89	84	87	84	95	94	96
Iowa	84	89	94	61	84	83	88	98	99
Kansas	95	91	92	76	75	81	96	94	94
Kentucky	85	86	82	89	84	87	94	96	93
Louisiana*	—	85	—	—	82	—	—	92	—
Maine*	62	58	55	57	61	70	83	86	85
Maryland	73	—	78	59	—	78	81	—	97
Massachusetts	93	91	98	89	92	91	98	97	99
Michigan*	84	88	89	59	65	76	89	92	93
Minnesota	86	86	81	68	81	76	90	94	92
Mississippi	—	84	—	—	75	—	—	91	—
Missouri*	85	88	92	43	72	82	87	91	97
Montana*	73	82	72	58	58	74	86	96	91
Nebraska*	86	80	79	75	68	12	86	88	79
Nevada*	89	92	91	68	69	79	92	96	94
New Hampshire	32	41	42	61	66	64	74	82	79
New Jersey	90	88	89	73	87	86	97	94	95
New Mexico	93	89	90	80	80	84	96	95	97
New York	92	93	95	88	91	89	98	97	98
North Carolina	84	85	91	70	76	89	91	93	96
North Dakota	64	76	74	67	81	65	85	99	85
Ohio*	91	94	91	62	83	72	96	97	94
Oklahoma*	88	90	90	79	58	72	95	91	90
Oregon	87	91	84	74	62	81	95	95	91
Pennsylvania	92	94	89	88	93	76	97	99	91
Rhode Island	81	89	89	79	83	88	89	97	98
South Carolina	96	92	92	82	90	85	98	96	95
South Dakota*	79	82	74	63	71	70	91	92	91
Tennessee	86	92	86	73	85	82	87	94	92
Texas	93	93	89	77	88	75	96	95	94

STATE	% OF MOST MONEY WINNERS			% OF INCUMBENT WINNERS			% WITH ONE OR BOTH ADVANTAGES		
	YEAR	2002	2004	2006	2002	2004	2006	2002	2004
Utah	88	86	86	75	78	78	95	91	98
Vermont	47	60	61	73	78	79	89	94	93
Virginia	90	94	90	73	89	85	94	99	96
Washington	91	92	93	81	81	86	94	98	98
West Virginia	76	81	85	75	83	80	89	92	94
Wisconsin	84	88	86	84	79	82	94	94	91
Wyoming	83	79	85	68	53	75	89	83	96
TOTAL	82%	84%	83%	71%	78%	79%	91%	93%	93%

* This state has term limits for state legislators.

APPENDIX B: SUCCESS RATE OF INCUMBENT CANDIDATES, 2002-2006

STATE	# OF INCUMBENTS WHO WON			# OF INCUMBENTS RUNNING			% OF INCUMBENTS WHO WON		
	2002	2004	2006	2002	2004	2006	2002	2004	2006
Alabama	103	—	115	125	—	127	82%	—	91%
Alaska	38	42	38	45	46	44	84%	91%	86%
Arizona*	50	65	73	68	74	82	74%	88%	89%
Arkansas*	87	80	81	106	83	82	82%	96%	99%
California*	61	73	59	62	73	61	98%	100%	97%
Colorado*	55	58	54	60	62	62	92%	94%	87%
Connecticut	149	165	164	164	173	174	91%	95%	94%
Delaware	54	46	45	58	47	46	93%	98%	98%
Florida*	108	121	95	112	121	101	96%	100%	94%
Georgia	170	173	207	196	195	210	87%	89%	99%
Hawaii	38	53	49	47	62	53	81%	85%	92%
Idaho	61	83	84	78	96	92	78%	86%	91%
Illinois	132	132	142	141	138	148	94%	96%	96%
Indiana	105	109	105	110	116	112	95%	94%	94%
Iowa	83	105	103	93	113	114	89%	93%	90%
Kansas	95	124	101	101	139	109	94%	89%	93%
Kentucky	106	100	103	115	108	112	92%	93%	92%
Louisiana*	—	118	—	—	128	—	—	92%	—
Maine*	106	114	130	124	140	147	85%	81%	88%
Maryland	110		146	134		171	82%	0%	85%
Massachusetts	178	183	181	182	186	184	98%	98%	98%
Michigan*	87	71	113	106	73	122	82%	97%	93%
Minnesota	137	108	152	153	123	174	90%	88%	87%
Mississippi	—	131	—	—	147	—	—	89%	—
Missouri*	78	130	148	88	136	157	89%	96%	94%
Montana*	73	73	93	83	82	102	88%	89%	91%
Nebraska*	21	17	3	25	18	3	84%	94%	100%
Nevada*	36	36	42	43	42	45	84%	86%	93%
New Hampshire	259	278	270	325	316	345	80%	88%	78%
New Jersey	88	105	70	94	115	75	94%	91%	93%
New Mexico	56	90	58	58	96	60	97%	94%	97%
New York	185	192	189	191	201	195	97%	96%	97%
North Carolina	120	130	151	142	147	164	85%	88%	92%
North Dakota	50	58	47	58	64	61	86%	91%	77%
Ohio*	72	96	83	77	102	92	94%	94%	90%
Oklahoma*	99	73	90	103	77	94	96%	95%	96%
Oregon	57	48	61	63	49	65	90%	98%	94%
Pennsylvania	202	215	173	209	219	196	97%	98%	88%
Rhode Island	89	94	99	109	103	102	82%	91%	97%
South Carolina	102	153	106	105	162	112	97%	94%	95%
South Dakota*	66	75	74	66	85	89	100%	88%	83%
Tennessee	87	98	95	97	106	101	90%	92%	94%
Texas	139	146	125	153	158	138	91%	92%	91%
Utah	68	70	71	73	76	76	93%	92%	93%
Vermont	132	141	143	156	157	157	85%	90%	91%

STATE	# OF INCUMBENTS WHO WON			# OF INCUMBENTS RUNNING			% OF INCUMBENTS WHO WON		
	YEAR	2002	2004	2006	2002	2004	2006	2002	2004
Virginia	73	124	85	77	126	90	95%	98%	94%
Washington	99	102	105	108	108	114	92%	94%	92%
West Virginia	88	98	94	104	112	103	85%	88%	91%
Wisconsin	98	91	95	105	95	104	93%	96%	91%
Wyoming	51	40	56	59	45	58	86%	89%	97%
TOTAL	4,602	5,027	4,966	5,153	5,440	5,425	89%	92%	92%

* This state has term limits for state legislators.