Plagiarizing Policy:
Model Legislation in State Legislatures

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Abstract

National-level groups disseminate model legislation to promote issues deemed important to their interests. The use of model legislation by state legislatures reflects a degree of interest group influence on the agenda-setting stage of policymaking. In this paper, I examine the predictors of model legislation sponsorship within state legislatures. Undertaking a textual analysis that compares model bills with bills introduced and enacted in the states from 1995-2014, I detect the use of model bills in state legislatures. My dataset of model bills comes from a number of groups across the ideological spectrum. Using these data, I test predictions derived from a model of strategic interaction between a group and legislature under varying legislative resources, ideological distance, and policy area complexity. I use variation across legislative bodies (professionalism and term limits) and across legislators (length of service in the state legislature) within those chambers to test the claims that legislators under greater resource constraints than their counterparts rely more heavily upon model legislation given the accessibility and ease of introducing a prepackaged bill.

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In November 2012, Florida State Representative Rachel Burgin filed a resolution to be considered by the Florida state House of Representatives "urg[ing] Congress to cut the federal corporate tax rate."[1] The bill and its sponsor garnered attention from local media and watchdog groups because the version contained language identical to a model bill that the American Legislative Exchange Council (ALEC), a conservative group, had disseminated to legislators, down to the group's mission statement. Burgin retracted this version of the bill, reintroducing the bill without ALEC's mission statement shortly thereafter.[2] Model bills are written by groups and, under certain circumstances, utilized by state legislators. In this project, I show that Burgin's use of the ALEC bill (while more obvious than most instances) is part of a pattern of state legislators' sponsorship of model legislation. By examining usage, I begin to determine groups' conditional influence on public policy across the states.

In this paper, I develop a model of strategic interaction between a group and legislator. This model yields predictions about the relationship between bill area complexity, the ideological distance between the group and legislature, and model legislation utilization. Using an extensive data set of state and model bill text, I apply this model to the study of model legislation uptake by state legislators. While recent studies begin to examine model legislation uptake (Hertel-Fernandez 2014; Garrett and Jansa 2015), it remains an understudied interest group strategy in the field of interest group involvement in legislative politics (Karch 2007). I use textual analysis (based on plagiarism detection technology) of model legislation, a group's ideal policy, to determine the extent of group influence on introduced bills. This tactic of tracing laws is increasingly used in political science research assessing the spread of legislative text (e.g., Hinkle 2013; Wilkerson, Smith and Stramp 2015). In this work, I use text analysis to cleanly measure an avenue of group influence on policy-making.

Determining if and how much influence groups have within the policy-making process are notoriously difficult research questions (Smith 1995; Baumgartner and Leech 1998; Lowery 2013).

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[1]http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0685__. docx&DocumentType=Bill&BillNumber=0685&Session=2012

[2]http://www.commonblog.com/2012/01/31/alec-exposed-for-24-hours/

Complications arise in gauging influence since the interactions between legislator and lobbyist often occur behind closed doors. The slew of studies assessing the influence that PAC campaign donations have on various legislative outcomes are plagued by endogeneity and reach inconsistent conclusions (Wawro 2001). Studies that carefully assess group influence are often limited to a single case (Baumgartner and Leech 1998; Lowery 2013). Additionally, much of the literature on influence examines advanced stages of the process (most often roll call voting) rather than the agenda-setting stage (Potters and Sloof 1996). Influence enjoyed by groups and the distribution of this influence between groups is normatively and practically important for policy outcomes (Schattschneider 1960; Verba, Schlozman and Brady 1995; Strolovitch 2008; Schlozman and Brady 2012). Newly accessible data and computational advances can facilitate progress on these questions.

Divergent views about model bill provision demonstrate the complexity surrounding group and legislative relations. Model bill availability may help state legislatures formulate high-quality legislation that serves the needs of constituents. Supporters of the practice contend that even if groups write the bills, the legislative process of debate and revision ensures protection from interest group capture. In addition, Nugent (2012) argues that model legislation provision may "safeguard federalism" by providing an alternative for federal action among interested publics that desire change across states. Others see a darker side of the practice, arguing that "plagiarism" of model bills by state legislators infringes on the workings of democracy and provides undue influence to those with the resources to write and market model legislation (Orbach 2012).[3] Model bills in state legislatures highlight the tension between formulating well-crafted public policy and limiting the role of special interests in public institutions. Beyond the debate about the ethics surrounding model bill provision, this group tactic provides us with a relatively transparent setting in which to test theories about group influence and legislative institutions.

Model bill provision can influence legislative outcomes in several ways. The literature on the executive's provision of draft bills and congressional action considers similar causal mechanisms

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[3]See The Center for Media and Democracy's ALEC Exposed.

(Cameron and Park 2007). First, model bill provision may alter the legislative agenda by defining both policy problems and policy solutions. Suppose a group publicizes model legislation on a topic that is not anticipated to be on the state legislative agenda. The provision of the model may prompt a state legislator to consider the idea and bring it onto the agenda. Alternatively, even if a state legislature plans to consider an issue, groups can influence outcomes via model bill provision. Small sections of legal documents may change the meaning of the bill and influence outcomes in ways disproportionate to the length of the text: "In the practice of law, a word can make a world of difference" (Glannon 2010, 14). Therefore, group influence on portions of legal text may indicate influence on policy outcomes. Additionally, a legislator's introduction of a model law may alter the range of feasible alternatives that the legislature may consider. Thus, even if a model law is not passed, the existence of the model law may change the ideological assortment of laws that may be viable for consideration.[4]

The combination of constraints on state legislators and the convenient format of model legislation may make this group strategy especially effective. State legislators face time constraints and a saturated information environment (Jones and Baumgartner 2005; Rosenthal 2008). Mooney (1991) describes legislators' search for information as following a satisficing strategy; given the time constraints they face, legislators gather easily accessible information (446). Scholars report that state legislators depend on interest groups' expertise (Gray and Lowery 1996). Model legislation from trusted groups delivers information and solutions in one easy-to-introduce package. Some groups provide additional material to accompany their model bills, such as talking points on the legislation, suggested ways to accomplish the passage of the bill, or memos on other states' experiences with the law. Thus, sponsorship of model bills may further the legislative goals posited by Fenno (1973). Sponsoring bills by ideological groups may advance legislators' position-taking goals via connections to the group and the actual ideological bent of the bill. Additionally, legislators may believe that the expertise of the groups and carefully drafted model bills may further their policy goals more than bills drafted by generalist and inundated state legislative drafting of-

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[4]This point deserves formal consideration.

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fices. Providing convenient information to busy state legislators may facilitate the uptake of model legislation.

Differences on both the legislator and legislature level, lead to variation in legislators' reliance on outside information and subsequently may lead to differential utilization of model legislation across states and legislators. Scholars show that a legislator's "years of consecutive service" proxies for experience and is associated will the number of bills that a legislator sponsors (Keefe 1966; Squire 2007). Miquel and Snyder (2006) find that North Carolina state legislators' effectiveness "rises sharply with tenure, at least for the first few terms" (348). On the individual legislator level, tenure seems related to legislators' ability to navigate the complicated legislative process.

On the legislature level, the resources available to legislators within a chamber and the structure of the legislative body alter the members' capacity to formulate legislation. Thus, altering the attractiveness of model legislation as an alternative to independent drafting. Relevant for this study, Huber and Shipan (2002) find that professionalism is related to legislatures' ability to address policy issues and Rogers (2010) concludes that the rate of law adoption is positively related to professionalism. Combined with the assumption that legislators wish to sponsor bills and produce legislation (Rosenthal and Forth 1978; Schiller 1995), members that are more constrained than their counterparts may rely more heavily on model laws. Legislators' sponsorship of groups' model legislation provides a setting through which we can test implications of theories about resources and group influence.

Theory

Overview

This model relies on McCarty's (2011) model of policymaking and learning in which bureaucrats struggle to find independent information and expertise within a complex environment. Here, I consider the interaction between one group's production of a single model bill, one state legislator, and the median of the legislative chamber. I acknowledge that groups may produce multiple model bills on the same topic that vary along the ideological spectrum, but do not consider that

possibility for simplicity.[5] Additionally, I assume that the legislator wishes to consider a bill on topic Z at the time of the interaction. Group provision of model legislation may prompt legislators to consider topics that would have otherwise been overlooked. For example, autonomous vehicles were previously not on the state legislative agenda because they were a futuristic idea. Google begin promoting legislation for driverless cars in the states and model legislation drafted by The Center for Internet and Society is available. In this case, the provision of model legislation may prompt the state to consider a bill on autonomous vehicles. This avenue of influence goes beyond the scope of the model.

The essential tradeoff for the legislator between achieving a bill close to her ideal point and capitalizing on the expertise offered by the group is the motivation for this model. Niche groups, such as the National Insurance Commissioners (NAIC), likely have superior knowledge about the ins-and-outs of insurance law compared to a state's general bill drafting services. These groups employ or recruit volunteers who are lawyers and experts on the topic, for example the American Association of Motor Vehicle Administrators (AAMVA) states that their legal services team is comprised of "attorneys that serve as either the state attorney general, or serve in that office or capacity" (private correspondence with the AAMVA). Additionally, this group spends significant time vetting the bill with various experts and getting feedback on the specific propositions. These groups invest expertise and effort into model legislation production. Ideological groups may not provide the same level of technical expertise as industry groups. However, these ideological groups, like ALEC, may use institutional capacity and memory to translate ideas into legislative language that will lead to the desired outcomes. These groups often examine similar laws in other jurisdictions and implications (e.g., judicial or economic), tailoring the language to achieve the legislator's preferred outcomes. Additionally, state bill drafting services are non-partisan offices. Thus, ideological groups may provide political expertise about the reception that the bill will receive among interested publics. Now, I describe the model's players, actions, and comparative

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[5]Investigative journalists find that ALEC commonly "deveop[s] multiple model bills addressing the same issue. . .[to gauge] how far lawmakers in a given state are willing to go toward the organization's end goal" (http://www.epi.org/publication/attack-on-american-labor-standards/).

statics.

Model

The players in this game are the group proposing model legislation (G), a legislator (L), and the median legislator (M). For the purpose of simplification, I consider M as the median voter in the legislative body. The legislator's actions are constrained by the median voter in the legislature. I assume that these actors have preferences over the legislative policy outputs. The set of policies that can result from this interaction is signified by $X \subset \mathbb{R}$. Here, $x \in X$ is the ideological position of some bill. While some groups may propose model bills that do not easily fit onto the left-right ideological scale, many of the groups and the model bills that they publicize could be assigned an ideological position. I denote the ideal policy positions for G, L, and M as g, l, and m respectively. I assume that $m = 0$. The players are assumed to have quadratic preferences over the policy outcomes. I restrict $m < l < g$. This specification denotes that the group is more conservative than either the legislator or the median of the legislature. I assume that the status quo, q, is set at m for purposes of simplification. The variance associated with q is σ_q^2 I assume that either the group or the legislator can pay c_g or c_l, respectively, to obtain a bill that achieves a policy at some x. The cost to the group of writing the model bill (c_g) is imposed regardless of the legislator's decision to use the model.

In the first stage, the group G chooses x_g, the ideological position of the model bill to disseminate. Subsequently, the state legislator L observes the model bill disseminated by G. With G's model bill in mind, the legislator has several options. The legislator may ignore the model bill and instead use the state's bill drafting division to research and draft a bill, $x(l)_l$. In this case, L must dedicate c_l of her resources to drafting a bill on topic Z. Opportunity costs for dedicating partisan and non-partisan staff to research the topic and draft the legislative language entail c_l. L will use resources to attempt to craft a bill $x(l)_l = l$. However, the legislator faces uncertainty about the policy outcomes resulting from the bill. Thus the legislator's attempt to write a bill $x(l)_l = l$ has a random outcome with mean $x(l)_l$ and variance f. The variance of the legislator's bill-writing attempt (f) varies in the legislator's experience. As a final step, M decides to accept or reject the

bill proposed by L, $x(l)_l$.

Alternatively, the legislator may choose to use the group's model bill. If the legislator uses the model bill, but alters the bill in some significant way, $x(0)_l \neq x_g$, it leads to a random outcome with mean $x(0)_l$ and variance $|x(0)_l - x_g|\sigma^2$. This variance captures the legislator's inability to modify the model bill to precisely reach outcome, $x(0)_l$. In other words, the legislator cannot completely expropriate the work done by the group. This variance is increasing in both the amount that the legislator moves the bill from the group's proposed model and the σ^2 term.

Moving to the utility functions, the payoffs to the actors when M accepts $x(l)_l$ are:

$$u_l = -(x_l - l)^2 - \beta(c_l + f) - \alpha|x_g - x_l|\sigma^2 \tag{1}$$

$$u_g = -(x_l - g)^2 - c_g - \beta f - \alpha|x_g - x_l|\sigma^2 \tag{2}$$

$$u_m = -x_l^2 - \beta f - \alpha|x_g - x_l|\sigma^2 \tag{3}$$

Where $\beta = 1$ and $x_l = x(l)_l$ when the legislator writes her own bil. If the legislator uses the model bill, $\alpha = 1$ and $x_l = x(0)_l$.

When M rejects the legislator's proposal and the status quo holds, the utility functions are:

$$u_l = -l^2 - \beta c_f - \sigma_q^2 \tag{4}$$

$$u_g = -g^2 - c_g - \sigma_q^2 \tag{5}$$

$$u_m = -\sigma_q^2 \tag{6}$$

Suppose the legislator writes her own bill without using the model legislation (proposes $x(l)_l$), and the median legislator must decide to accept or reject the bill. Now we need to solve for $x(l)_l$. If $-l^2 - f > -\sigma_q^2$, then $x(l)_l = l$. Otherwise, $x(l)_l = \sqrt{\sigma_q^2 - f}$. Summarizing, $x(l)_l = min\{l, \sqrt{\sigma_q^2 - f}\}$.

Now we move to the case where L uses the model bill information. In order for the median

Group

x_g

Legislator

Legislator writes own bill

Legislator uses model

Accept

$u_g = -(l-g)^2 - c_g - f$
$u_l = -c_f - f$
$u_m = -l^2 - f$

Reject

$u_g = -g^2 - c_g - \sigma_q^2$
$u_l = -l^2 - c_f - \sigma_q^2$
$u_m = -\sigma_q^2$

Accept

$u_g = -(x_l-g)^2 - c_g - |x_g - x_l|\sigma^2$
$u_l = -(x_l-l)^2 - |x_g - x_l|\sigma^2$
$u_m = -x_l^2 - |x_g - x_l|\sigma^2$

Reject

$u_g = -g^2 - c_g - \sigma_q^2$
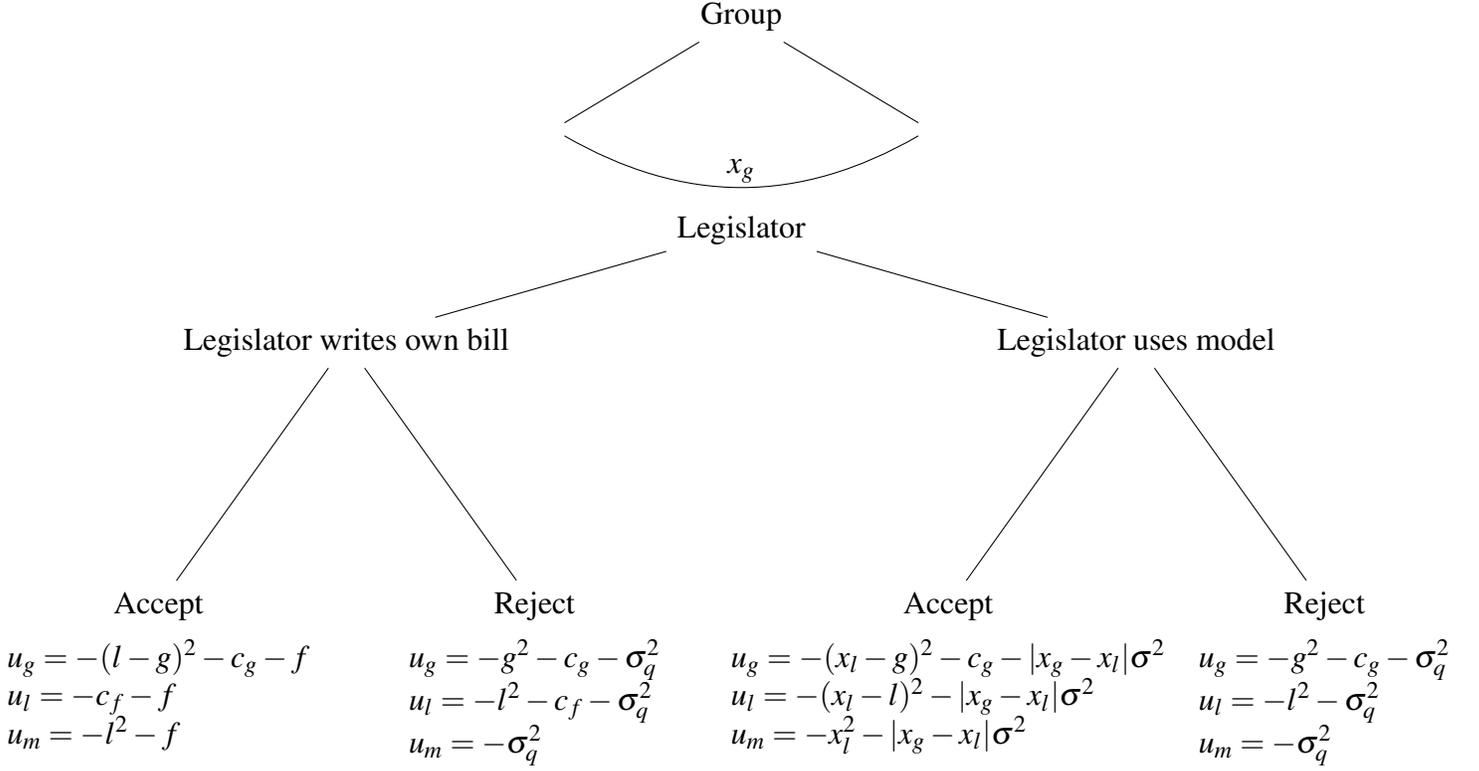$u_l = -l^2 - \sigma_q^2$
$u_m = -\sigma_q^2$

Figure 1: Model Legislation Model

legislator to accept $x(0)_l$ proposed by the legislator, the following inequality must hold:

$$-(x(0)_l - m)^2 - \sigma^2|x(0)_l - x_g| \geq -\sigma_q^2 \tag{7}$$

where σ_q^2 is the uncertainty associated with the median legislator's status quo bill. In other words, σ_q^2 is a measure of the legislature's capacity. Using $m = 0$ and that $x(0)_l < x_g$

$$x(0)_l^2 + \sigma^2(x_g - x(0)_l) - \sigma_q^2 \leq 0 \tag{8}$$

The critical values, $x(0)_l^*$ solve this inequality: $x(0)_l^* = \frac{1}{2}(-\sigma^2 \pm \sqrt{\sigma^4 - 4\sigma^2 x_g + 4\sigma_q^2})$.[6] This requirement on $x(0)_l$ gives us two cases. Either the constraint will not bind and L will propose a bill that is acceptable to the median, or the constraint does not bind and L can propose the bill that

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[6]Obviously, $x(0)_l > 0$ so positive root is the solution. For the median to approve, $\sigma_q^2 > \sigma^2 x_g$. If this were not true, m would prefer the status quo to any bill.

maximizes her utility.

To maximize her expected utility when using the model bill language, the legislator will choose $x(0)_l$. This expected utility is:[7]

$$-(x(0)_l - l)^2 - |x_g - x(0)_l|\sigma^2, \text{ subject to } -(x(0)_l - l)^2 - |x_g - x(0)_l|\sigma^2 > -l^2 - \sigma_q^2$$

The expected utility equation shows that L faces a trade-off between obtaining a policy that is close to her ideal point and increasing the policy's variance. If the legislator drastically changes the model bill, $|x_g - x_l|$ increases. Deleting or adding certain sections to the model bill may reduce the effectiveness of the bill to address topic Z.

What will the legislator do, given x_g? L will not choose $x(0)_l > x_g$, if L did so, she would be strictly better off accepting the unmodified model bill. If L uses the information found in the model, she will maximize her utility $(-(x(0)_l - l)^2 - |x_g - x(0)_l|\sigma^2)$ subject to the constraint that $x(0)_l \leq x_g$. When the legislator is unconstrained in the use of the model bill, then $x(0)_l = x_g = \frac{2l + \sigma^2}{2}$. The derivation appears in the appendix (A1). So, when the complexity term, σ^2 is greater than $2(x_g - l)$, the legislator will accept the model bill without alteration. All else equal, when the variance is high, x_g is a more likely outcome.

The legislator will accept the model bill, x_g, if and only if: $l + \sqrt{c_l + f} \geq x_g$. The legislator will use some information from the model bill, but alters it to be located at $x(0)_l$, if and only if: $-\frac{\sigma^4}{4} - |x_g - l - \frac{\sigma^2}{2}|\sigma^2 \geq -c_l - f$ or, equivalently, $x_g \geq \frac{c_l + f}{\sigma^2} + \frac{\sigma^2}{4} + l$.

The group's utility when the legislator writes her own bill is $u_g = -(x(l)_l - g)^2 - c_g - f$. The group prefers that the legislator use the model bill, since the group must pay c_g regardless of whether the model is used and we assume that $|x(0)_l - g| < |x(l)_l - g|$ (the bill when the legislator uses the model is closer to the group's ideal point than the legislator's independent bill). Thus, the group will want to make the legislator's utility from using the model bill weakly better than writing her own bill. Also, the group prefers that the legislator use the model bill without alteration.
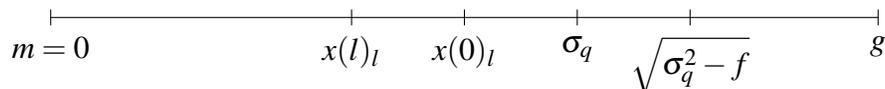

[7]Per $E[(a - x - w)^2)] = E[(a - x)^2 + var(w)]$

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Cases

There are four possible cases, based on the values of the legislator's independent bill $(x(l)_l)$ and the legislator's use of the group bill $(x(0)_l)$.

1. $x(l)_l = l$ (so, $l < \sqrt{\sigma_q^2 - f}$) and $x(0)_l = \frac{2l + \sigma^2}{2}$

2. $x(l)_l = l$ and $x(0)_l$ is constrained $(x(0)_l = \sigma_q)$

3. $x(l)_l = \sqrt{\sigma_q^2 - f}$ and $x(0)_l = \frac{2l + \sigma^2}{2}$

4. $x(l)_l = \sqrt{\sigma_q^2 - f}$ and $x(0)_l$ is constrained

In Appendix A2, I solve for the critical values, c_f^*, for every case. The line below displays a possible configuration of interests for Case 1. The legislator locates the policy that she writes $(x(l)_l)$ at her ideal point in this case.

$$\vdash\!+\!\!\!\!\!\!+\!\!\!\!\!\!+\!\!\!\!\!\!+\!\!\!\!\!\!+\!\!\!\!\!\!\!\!\!\!\!\!\!\!$$

$m = 0 \qquad\qquad x(l)_l \quad x(0)_l \quad \sigma_q \quad \sqrt{\sigma_q^2 - f} \qquad g$

Alternatively, under Case 4, the $l > \sqrt{\sigma_q^2 - f}$, so $x(l)_l \neq l$ and $x(0)_l$ is constrained. In this case, the bill written by the legislator is closer to the median compared to Case 1 where the legislator places her independently written policy at her ideal point. The legislator's use of the group bill is also closer to the median than in Case 1, the model bill is constrained by the median.

$$\vdash\!+\!\!\!\!\!\!+\!\!\!\!\!\!+\!\!\!\!\!\!+\!\!\!\!\!\!\!\!\!\!\!\!\!\!$$

$m = 0 \qquad\qquad x(l)_l \quad l \quad x(0)_l \quad \frac{2l + \sigma^2}{2} \qquad g$
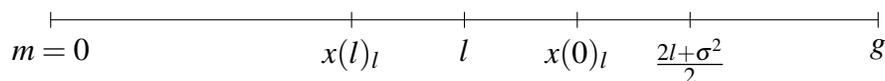
Propositions

1. *There is a SPNE where the legislator proposes the model bill if and only if $c_f \geq c_f^*$.*

2. *The critical value of c_f^* is:*

- *Weakly decreasing in the variance associated with the legislator's attempt at writing a bill, f.*

- *Weakly increasing in the complexity (σ) when the model bill is unconstrained by the median and $l < \sqrt{\sigma_q^2 - f}$. Weakly decreasing in the complexity (σ) when the model bill is unconstrained by the median and $l > \sqrt{\sigma_q^2 - f}$. Unchanging in σ when the model bill is constrained.*

- *Weakly increasing in σ_q when the model bill is constrained. Weakly decreasing in the variance of the status quo bill, σ_q, when the model bill is uncontrained.*

- *Weakly increasing in l when the model bill is constrained. Weakly decreasing in the legislator's ideal point, l when the model bill is uncontrained.*

These propositions imply that I should observe several patterns in the data. The first part of the proposition implies that we should observe legislators with less experience and resources (those who have a higher f value) using model legislation more frequently compared to their more experienced counterparts.

On the relationship between complexity of the model bill and utilization of model legislation, there are several different cases. First, if the model bill is unconstrained by the median preferences and the legislator is relatively close to the median legislator, then the likelihood of observing model legislation decreases in the policy complexity. Conversely, if the model bill is unconstrained by the median preferences and the legislator is relatively *distant* from the median legislator, then the likelihood of observing model legislation increases in the policy complexity. This part of the proposition implies that any test of the relationship between complexity and the uptake of model legislation must be conditioned on the extremity of the legislator relative to the median legislator.

When the model bill is constrained by the median legislator, more extreme legislators (those closer to the group) will use model legislation less frequently than their more moderate counterparts. When the model bill is unconstrained by the median legislator, more extreme legislators

(those closer to the group) will use model legislation more frequently than their more moderate counterparts.

In the following section, I describe the data used to test the predictions related to ideology and experience and model legislation use. Testing the predictions about complexity and model legislation utilization is beyond the scope of this paper. Ideal data for these empirical tests would include measures of a policy's complexity. The test would compare a legislator's relative likelihood of using model legislation in a complex policy area compared to a simpler policy area.

Data and Methods

To study the use of model legislation within state legislatures, I include model legislation from 66 groups that propose state-level models and vary in their position along the ideological spectrum. First, I describe the largest conservative and liberal groups that disseminate model legislation, and subsequently the other groups included in the study. American Legislative Exchange Council (ALEC), a 501(c)(3) organization founded in 1973, is broadly known as a conservative group, aiming "advance the fundamental principles of free-market enterprise, limited government, and federalism at the state level." State legislators (ALEC's website states that over 2,000 state legislators are members), private sector representatives, and corporations form ALEC's membership. The State Innovation Exchange (SiX), previously the American Legislative and Issue Campaign Exchange, organized as a liberal alternative to ALEC in 2012. Wisconsin democratic state representative Mark Pocan compares the liberal counterpart to ALEC as a "barking Chihuahua compared to an 800-pound gorilla" (Smith 2012). Unlike ALEC, SiX has neither corporate backers nor hosts yearly policy conferences.

In addition to ALEC and SiX, I examine the model bills disseminated by 64 other organizations (see Appendix A4 for the full list). I visited the sites of groups that resulted from a search of "model bill" search terms.[8] Both ideological (i.e., The Compact for America) and niche groups (i.e., The Real Estate Valuation Advocacy Association) are included. Groups that tailored their legislation to a specific state are excluded (i.e., The Mackinac Center). While this selection of

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[8]"Model bill", "model legislation", and "model statute."

groups is not generated from a random sample of a comprehensive list of national-level groups, examining the use of model bills from a range of groups can provide insights into the pervasiveness of model legislation use in state legislatures. Generating a randomly selected list of groups and examining model bills produced by those groups would interfere with the ability to gauge the use of model bills by state legislatures. While quite a few groups disseminate model legislation, as demonstrated by the number of groups included in the study, the sheer volume of groups included in comprehensive lists would hid the use of this tactic in a random sample. Including model bills from many groups allows me to assess the relative effectiveness of interest groups and assuage concerns related to solely looking at model legislation produced by broad ideological groups, which receive publicity because of successes.

I collected the text of groups' model legislation and of state bills (including different versions). First I describe the corpus of model legislation, going into some depth about the set of ALEC model legislation since it comes from multiple sources. Next, I discuss the collection of state bills that I analyze. I collected model bills from 66 organizations. From the group's website, I scraped any publicized model bill. Through this search, 1,434 model bills were added to the model bill corpus. Some groups have several model bills, but most groups (58%) only publicize one model bill. The text of ALEC model legislation comes from two different sources. ALEC began posting its model legislation on the organization's website in March of 2013 (Celock 2013). I scraped the 618 of the bills that were available on the ALEC website as of 9/30/2013. ALEC previously promoted additional bills that are not available via the organization's website. ALEC spokesman, Bill Meierling, claims "If it is not on our website, it is not our policy" (Celock 2013). While the bills that are on ALEC's website may be those that remain officially endorsed by the organization, bills that the group previously disseminated to state legislators remain relevant to this study. State legislators still have access to these model bills via extant "bluebooks" and Dropbox folders. Model bills available to ALEC state legislators were leaked to the Center for Media Democracy in 2011, and published on ALECexposed.org in July 2011.[9] I downloaded all of the model bills available

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[9]http://www.democracynow.org/2011/7/15/alec_exposed_state_legislative_bills_drafted

on this site. Since there is overlap between these leaked bills and the bills available on the official ALEC site, I do not process the leaked bills that had the same title and summary as those on the official ALEC website. I added 430 unique bills from this leaked set. In all, there are 1,048 documents in the final corpus of ALEC model legislation. From the other organizations, I add 386 model bills.

I rely on Lexis and Sunlight Foundation data to assemble a data set of state bills. Appendix A5 contains information on the data per state: the years available in my data set, the number of bills within that state throughout the time period available, and the total number of documents available. The data set includes all available versions of the bill (i.e., if the bill passed, the data set will contain the introduced version and all subsequent versions of the bill). In addition to the full text of the bill, LexisNexis includes the bill number, the version, the version-date, sponsor, and (sometimes) cosponsors. Lexis state bill data extends from 1991 until present.[10] I use the OpenStates-constructed database where possible because of the superiority of OpenStates' meta-data. OpenStates contains a variety of IDs associated with the sponsor of a bill. These IDs facilitate matching the legislator to other databases (e.g., Klarner, Berry, Carsey, Jewell, Niemi, Powell and Snyder 2013). To ensure that the state bills are available for all states in a year, I limit the set to be those bills between 1995-2014, resulting in 7,705,514 bill documents.

The information on term limits and state legislative staff come from the National Conference of State Legislatures and the Book of States. *Term limits* is a dummy variable that indicates if the state had term limits in place during year *t*. *In-session* indicates whether or not the state has bills listed as occurring within year *t*. To measure the resources available to state legislators across the states, I include separate *session-only staff ratio* and *permanent staff ratio* variables since these types may serve different legislative service functions. These ratios are constructed as the number of session-only or permanent staff divided by the number of legislators. The number of legislative staffers comes from the National Conference of State Legislatures and is available for 1988, 1996, 2003, and 2009. For the years not available in the NCSL database, I use the most proximate previous

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[10]Though the LexisNexis data officially begins in 1991, the text of the bills for every state is not available beginning in 1991. Many of the states have data for 1994 or 1995 onward.

year of data available. This component of state legislative resources is the most tied to the drafting of legislation.

Data on legislator tenure comes from the State Legislative Election Returns database from 1967 until 2014 (Klarner et al. 2013). I compute the number of years that each legislator has served per year present in the database of state bills. There are very few legislators that entered their state legislature prior to 1967, so the years of service variable does not have serious censorship issues.[11] The median years of service in most of the states is from 4 through 6 years. Legislators' nonconsecutive service counts towards the total number of years that they have served. Additionally, service in either chamber of the state's legislature contributes to a legislator's years of experience. I am interested in length of service as it relates to the activities in which a legislator engages. Experience in either house contributes to a legislator's ability to draft and sponsor a bill, actions relevant for my theory of legislative resources and model legislation uptake. *Tenure* is the number of years that the legislator had served in state legislature in year *t*. The number of years that the legislator has been in office is used instead of the terms of service since the length of a term varies across state legislative chambers (http://www.ncsl.org/research/about-state-legislatures/number-of-legislators-and-length-of-terms.aspx). I also include a *Tenure Squared* term to test the non-monotonic relationship between tenure and model legislation use.

Individual legislator ideology and chamber median data, *ideology* and *median ideology*, come from the Shor-McCarty ideology data from the June 2015 release (Shor and McCarty 2011, 2015). Individual data were merged with the model legislation and Klarner databases by legislator last name, state, and year of service, and if ambiguous, by first initial and district. Ideology matches were made for 95.5% of the legislator-year observations. Chamber median data is missing for several year-states within the analysis, 9.6% of the legislator-year entries are missing the chamber median variable.

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[11]304 legislators elected post 1992 were also elected into the state legislature in the 1967, 1968, or 1969 election cycles. This is .4% of the post-1992 legislators. A small percentage of legislators in the database were likely to have served in the state legislature before the Klarner data starts.

Similarity Measure

There are many state bills; my data set contains 7,705,514 bill versions. The appendix contains a table of the number of bills and bill versions per state contained in my database. Since I want to detect similarity between each introduced state bill and each model bill, there are many pairwise comparisons to calculate.[12] Therefore, I automate this process of determining similarity between each pair of model bill and state bill. I use a relatively simple approach since the literature demonstrates that simple metrics are often reliable techniques for detecting plagiarism and easier to substantively interpret (Lyon, Malcolm and Dickerson 2001; Clough and Stevenson 2011).

State bills vary in the extent of similarity with the model legislation. Model bills can be used by sponsors of state legislation in several ways: (a) a sponsor can use a model bill verbatim (fitting only minimal changes such as the state's name), (b) can use exact copies of paragraphs or sections from the model bill, or (c) can use sentences or phrases from the model bill. I define a "match" between a state bill and a model bill as a pair that contains "significant" overlap in non-boiler-plate language. The idea is that the sponsor of the legislation would not have come up with this language without the aid of model legislation language (or looking at another source that used the model). The aim of my measure is to uncover state bills that are derived from model legislation.

To measure overlap between model and state bill, I determine the percentage of 5-word strings of adjacent words that intersect between a model bill and a state bill. This method of measuring similarity has several advantages over other methods. This method takes into account word order (as opposed to the cosine similarity measure), which is important since I do not want to include false-positive matches that could arise if bills were on similar topics. After testing n-word strings of lengths 3, 5, 8, and 13, I decided to use the 5-word strings.[13] This decision is also based on the length of the documents and the literature (Lyon, Malcolm and Dickerson 2001; Broder 1998).

To prepare the documents, I remove punctuation, capitalization, numbers, and strike-through

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[12]There are 1,434 model bills and 7,705,514 bill versions, so there are 11,049,707,076 pairwise comparisons.

[13]As an additional winnowing step, I drop matches that have at least a single 21 word string in common. This step ensures that state bills share at least share one long phrase in common, supporting the desire that these pairs share significant overlap.

text. In the tokenization stage of the comparison, I create the set of all unique n-word strings contained within each document. The strings are created consecutively, starting at the first word of the paragraph and moving up by one word to create a new string per iteration. The program continues to generate new n-word strings until it reaches the end of a paragraph.[14] This method is known as *w-shingling.* This component is substantively important for the analysis because state bill sections that draw from model bills often differ in just a few words (often to tailor the language to the drafting requirements of the state). This method ensures that the difference of a single word between documents does not artificially drive down the similarity measure.

I generate the intersection between each tokenized state bill with each model bill (each state-model pair). This intersection is the set of 5-word strings common to each of the two documents. To calculate my measure of similarity for this technique, I divide the size of the intersection by the number of unique 5-word strings in the model bill. I choose the size of the model bill set as my denominator because the state bill sometimes includes the model bill as part of a longer state bill. Therefore, choosing the state bill as the denominator may drive down the overlapping percentage despite extensive reuse of a model bill. Additionally, bills often contain additional text within the header or footer. Since the format of bills varies between states, cleaning up the state bills would be a prohibitively onerous process. With the model bill as the denominator, the additional text within the state bill does not interfere with the measure. The score that I calculate is based on Broder's (1998) "containment measure." S(M) and S(S) represent the set of 5-word in the model bill and state bill, respectively. So the percentage of 5-word strings shared by the model bill (M) and the state bill (S), as a proportion of the 5-word strings in the model bill is:

$$p(M,S) = \frac{|S(M) \cap S(S)|}{|S(M)|} * 100$$

Below, I show an example from an abbreviated segment of a model bill and a state bill. While the measure is calculated on the document-level, this example constructs the measure for a short segment of text.

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[14] Sometimes the paragraph breaks are not clearly indicated in the bill text; therefore I consider a paragraph end as a carriage return. To check that this consideration of a paragraph end does not alter the results, I made the entire document one line, and calculated the percentages of shared n-grams between the documents. Finding that the same documents were above cut points for this one-line document.

> **NJ State bill excerpt** (Assembly Bill No. 322, 215th Legislature)
>
> | after december every employer before hiring an employee ==shall verify the employment eligibility of the employee through the everify program== |
> | --- |
>
> $|S(S)| = 16$
>
> **ALEC Model bill excerpt** ("No Sanctuary Cities for Illegal Immigrants Act")
>
> | after hiring an employee the employer ==shall verify the employment eligibility of the employee through the everify program== |
> | --- |
>
> $|S(M)| = 14$
>
> $p(M,S) = \frac{|S(M) \cap S(S)|}{|S(M)|} * 100 = \frac{11}{14} * 100 = 78.6\%$

If $p(M,S) = 100\%$, then the state bill contains the entire model bill. A score of 0% indicates that the model and state bill share no 5-word strings. I treat the classification of matches between model and state bills as binary up to a cut-point. After looking through a random sample of 100 bills with scores of less than 20%, I determined that matches below 10% captured boilerplate language and not state legislature reuse of model legislation while matches above the 10% threshold reflect use of substantive portions of the model. Therefore, I coded the pairs with below 10% overlap as 0 and retained the percentages for those pairs greater than or equal to 10%. To provide more confidence that the state bill derives from the model bill, I drop the matches where the state bill is introduced before the model bill.

Figure 2 presents the number of model bills (from all groups) introduced within the states between 1995 and 2014. This heatmap shows that there is variation across states in terms of the volume of bill sponsorship. New Jersey has the highest average number of model bills introduced, across all of the odd years, 620 of NJ's model bills introduced come from ALEC, 45 from SiX, and 93 from American Association of Motor Vehicle Administrators. These heatmaps show that the states utilize model legislation at different rates.

# of Model Bills Introduced,
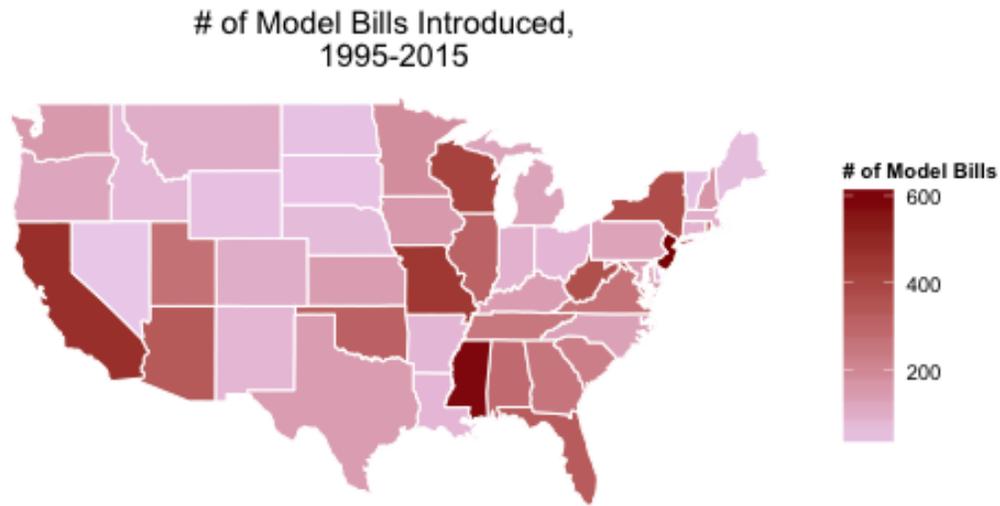1995-2015

# of Model Bills
600
400
200

Figure 2: *This heatmap shows the number of model bills introduced within each state from 1995-2014.*

Next, Figure 3 presents the number of model bills (from all groups) passed within the states between 1995 and 2014. Again, New Jersey has the highest average number of model bills passed. However, in contrast to the heatmap of the average number of introduced model bills, the states are closer to each other in terms of how many model bills they passed.
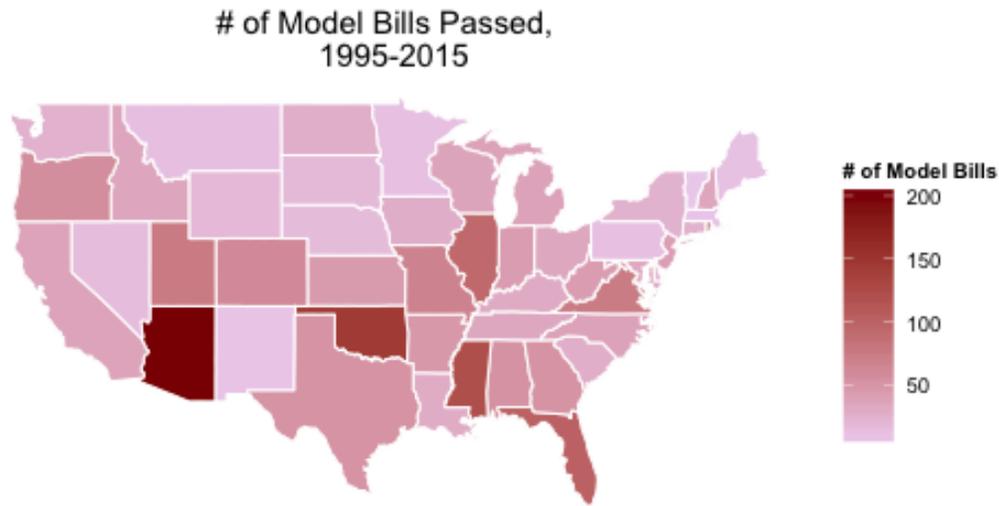
# of Model Bills Passed,
1995-2015

Figure 3: *This heatmap shows the number of model bills passed within each state from 1995-2014.*

In terms of which groups are most successful in getting their models introduced and passed, ALEC leads by a large margin, followed by Americans United by Life and the American Association of Motor Vehicle Administrators. Across all of the years and states in my data, ALEC model bills were introduced 7,440 times and passed 1,468 times. Figure 4 shows the utilization of ALEC model bills over time. The number of ALEC model bills introduced in the states over time has increased steadily, until a decrease in 2013. However, the number of ALEC bills that pass has remained steady. The most popular ALEC bills are about education, health care, and immigration. Many of the commonly used SiX bills are about education or schools and health care, similar to the topics of the bills proposed by ALEC. Unlike ALEC, other popular SiX bills include those about the criminal justice system, family-corporation policies, and inequality. Groups widely differ in their success at getting model legislation introduced and passed in state legislatures.
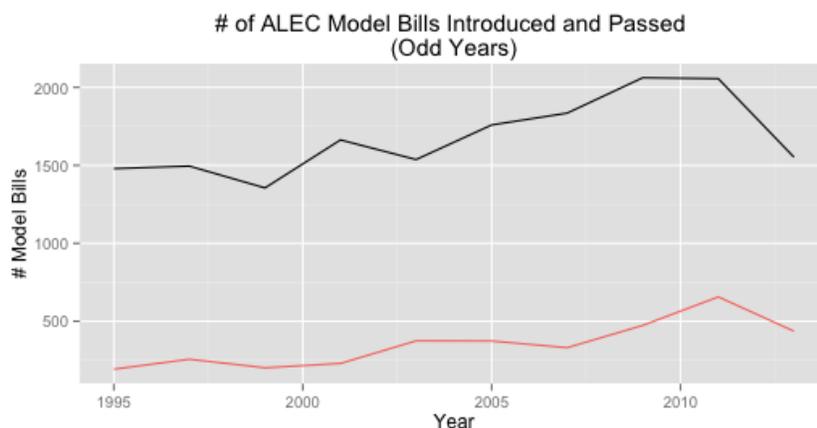
# of ALEC Model Bills Introduced and Passed
(Odd Years)

Figure 4: *This figure plots the number of ALEC bills introduced (red) and passed (black) in odd years, across all states from 1993-2013.*

Results

I examine the determinants of model legislation sponsorship. The unit of analysis is the state legislator in year *t*. The dependent variable is the total number of model bills introduced with legislator *i* listed as a sponsor in year *t*. Here, the outcome variable can assume a value of 0 (if legislator i sponsors no model bill during year *t*) or the count of the number of the model bills introduced (if legislator *i* sponsors some model bill during year *t*).

Most legislators do not introduce model legislation. About 94% of the legislator-year observations do not introduce any model legislation. The number of model bills introduced dependent variable is overdispersed with the mean (0.13) almost 5 times the variance (.63). Given these data characteristics, I use a zero-inflated negative binomial regression model (Gurmu and Trivedi 1996; Cameron and Trivedi 2013). This modeling decision implies that there are some legislators who likely never sponsor ALEC model legislation within a given year, making these observations structural-zeroes. Zero-inflated negative binomial models combine a binary equation and a negative binomial likelihood equation. In this setting, a model on the decision over whether or not to use model legislation at all is combined with a model of the count of the number of models when the legislator decides to use a model bill. This modeling decision nicely fits the political setting of model legislation. Legislators select to attend ALEC meetings, read the materials disseminated

21

by the group, or open a group's emails containing model legislation, thus this two-stage process of first deciding the level of exposure to model legislation and then the extent to which the legislator will incorporate the language into her legislation seems fitting. I conduct this analysis separately for Democrats and Republicans. The data is subset to those years in which the legislature that legislator i served in was in session, since out-of-session legislators do not introduce bills.

	ALEC Introduction	ALEC Introduction	ALEC Introduction
Count model: (Intercept)	−0.94***	−1.29***	−1.22***
	(0.07)	(0.09)	(0.08)
Count model: Tenutre	−0.01	0.00	0.00
	(0.00)	(0.00)	(0.00)
Count model: Session Staff Ratio	−0.22***	−0.25***	−0.27***
	(0.02)	(0.02)	(0.03)
Count model: Permanent Staff Ratio	−0.01	−0.01	−0.02**
	(0.01)	(0.01)	(0.01)
Count model: Term Limits	0.54***	0.43***	0.60***
	(0.05)	(0.05)	(0.05)
Count model: Ideology		0.49***	
		(0.05)	
Count model: Abs Median Dist			0.66***
			(0.10)
Count model: Abs Median Dist Sq			−0.17***
			(0.04)
Count model: Log(theta)	−1.67***	−1.54***	−1.61***
	(0.05)	(0.05)	(0.05)
Zero model: (Intercept)	1.25***	2.15***	0.70***
	(0.11)	(0.14)	(0.14)
Zero model: Tenure	−0.05***	−0.04***	−0.02*
	(0.01)	(0.01)	(0.01)
Zero model: Session Staff Ratio	0.15***	0.14**	0.12*
	(0.05)	(0.05)	(0.05)
Zero model: Permanent Staff Ratio	−0.52***	−0.50***	−0.51***
	(0.03)	(0.03)	(0.03)
Zero model: Term Limits	0.09	0.21*	0.21
	(0.10)	(0.10)	(0.11)
Zero model: Ideology		−1.11***	
		(0.12)	
Zero model: Abs Median Dist			1.06***
			(0.23)
Zero model: Abs Median Dist Sq			−0.38***
			(0.11)
AIC	41347.64	39468.81	36982.35
Log Likelihood	−20662.82	−19721.40	−18476.17
Num. obs.	47226	45220	41691

***$p < 0.001$, **$p < 0.01$, *$p < 0.05$

Table 1: *Zero-Inflated Negative Binomial model of ALEC bill introductions among in-session Republicans, 1995-2014.*

Table 1 displays the Zero-Inflated Negative Poisson model of ALEC bill introductions among Republican legislators. For the count stage of the models, higher levels of staffing are associated with lower levels of ALEC model legislation use. If the legislature's session staff ratio were to increase by one point, the expected number of ALEC model bills to be introduced by a legislator in that institution would decrease by a factor of 0.76, holding the other variables constant. In the expected direction, the expected number of model bills introduced by a legislator within a term limited state is 1.86 times the expected number of model bills introduced by a legislator within a state without term limits.

Now examining the zero-inflation stage of the ALEC introduction models, consistent with the theory, a lower session-staff ratio is associated with never sponsoring some ALEC model legislation. The permanent staff ratio is in the opposite direction than expected, higher levels of permanent staff per legislator are associated with a lower likelihood of being in the category of never introducing ALEC model legislation. Research indicates that permanent staffers may have independent political agendas (Brisbin 2008). These permanent legislative staffers may develop relationships with ALEC, be more likely to open the group's email requests, and advance the organization's bills in their legislative duties. This observation may explain the difference between the session-only and permanent staff coefficients. The negative coefficient on the ideology measure in the zero-inflation stage indicates that the more conservative the legislator (from Model (2)), the less likely that the legislator is a certain zero.

The insignificant relationship between tenure and ALEC model legislation use in the count model, and the unexpectedly negative relationship in the zero-inflation stage of the model suggest that other legislator-level characteristics may be at play. The relationship between tenure and model legislation uptake may be attenuated by unmeasured legislator characteristics. Legislators with previous experience in city government or law may be more adept at the legislative process once they assume legislative office. In future studies of model legislation use, additional background characteristics should be included.

The opposite signs on the absolute distance between the legislator and median legislator and

the squared term indicate a non-monotonic relationship between distance to the median and model legislation use, in line with the theory. More extreme legislators use ALEC model legislation less compared to moderate legislators.

	Non-ALEC Intro	Non-ALEC Intro	Non-ALEC Intro
Count model: (Intercept)	−1.92***	−2.02***	−2.11***
	(0.11)	(0.34)	(0.13)
Count model: Tenure	−0.00	0.01	−0.00
	(0.01)	(0.01)	(0.01)
Count model: Session Staff Ratio	−0.09	−0.08	−0.12*
	(0.06)	(0.06)	(0.06)
Count model: Permanent Staff Ratio	0.07***	0.09***	0.07***
	(0.01)	(0.02)	(0.01)
Count model: Term Limits	−0.46***	−0.69***	−0.42***
	(0.10)	(0.13)	(0.11)
Count model: Ideology		0.84***	
		(0.12)	
Count model: Abs Median Dist			0.48**
			(0.15)
Count model: Abs Median Dist Sq			−0.10
			(0.05)
Count model: Log(theta)	−2.61***	−1.64***	−2.58***
	(0.06)	(0.28)	(0.07)
Zero model: (Intercept)	0.49**	2.00***	0.51**
	(0.16)	(0.36)	(0.20)
Zero model: Tenure	0.00	−0.00	−0.00
	(0.01)	(0.01)	(0.01)
Zero model: Session Staff Ratio	0.14*	0.16*	0.21**
	(0.07)	(0.06)	(0.07)
Zero model: Permanent Staff Ratio	0.02	0.00	0.01
	(0.01)	(0.02)	(0.01)
Zero model: Term Limits	−8.82	−1.52***	−16.54
	(24.58)	(0.27)	(591.38)
Zero model: Ideology		−0.61***	
		(0.12)	
Zero model: Abs Median Dist			0.57
			(0.32)
Zero model: Abs Median Dist Sq			−0.56**
			(0.17)
AIC	18964.19	17584.09	16812.24
Log Likelihood	−9471.09	−8779.04	−8391.12
Num. obs.	47226	45220	41691

***$p < 0.001$, **$p < 0.01$, *$p < 0.05$

Table 2: *Zero-Inflated Negative Binomial model of non-ALEC bill introductions among in-session Democrats, 1995-2014.*

The models of Democrats' introduction of non-ALEC model legislation are displayed in Table 2. Interestingly, the coefficients on session staff ratios, absolute distance to median and absolute distance to median squared, and ideology in the count models are very similar to the above models of ALEC introductions by Republican legislators. In the count model, there are several notable differences between the models of ALEC model bill introductions among Republicans and non-ALEC model bill introductions by Democrats. Term limits and model legislation use are negatively related. While the session staff ratio is also negative in the expected direction, the permanent staff ratio has a positive coefficient.

In the zero-inflation models for Democrats' introduction of non-ALEC model bills, the session-staff ratio and permanent staff ratio coefficients are both positive, the expected sign. More staff, of either type, per member is associated with higher likelihood of never introducing a model bill during that session. In examining Democrats' introduction of non-ALEC model bills, the same non-monotonic relationship between ideological distance to the median legislator holds as in the models of Republican use of ALEC model bills. These consistent findings across party and ideological bent of the group provides some empirical support for the findings. Overall, the results of the examination of Republicans' and Democrats' use of model legislations provides some support for the hypotheses.

Discussion

Broadly, this study of model legislation is concerned with the question of when and where groups influence the policy process. In this paper, I developed a theory that makes predictions under what conditions groups will be successful in getting policy concessions from legislatures. I test these predictions with an comprehensive dataset of state and model bill text. Using a matching method based on plagiarism detection, I identify legislatures uptake of model legislation language.

This research contributes to the scholarly study of interest group influence and legislative politics. Weak or ambiguous measures of group influence stymie the ability of researchers to reach solid conclusions about the extent to which groups succeed in the legislative arena. My measure of model legislation uptake provides a clear test of a theory of the interaction between group and

legislature. Legislators face uncertainty about the relationship between the policies that they craft and political and policy outcomes. Expertise offered by groups in the form of model legislation helps reduce this variance.

This paper highlights the importance of institutions in the context of group influence within legislatures. While the federal legislature retains higher staff levels than those of state legislatures, the trend in Congress to cut government capacity may increasingly make this research relevant for federal level lawmaking.[15] Looking to the states to predict consequences of reducing resources available to members of Congress may shed light on the future of group influence on national legislation.

This research demonstrates that state legislators use model legislation *language* in their sponsored bills. Yet we remain uncertain of the extent to which the provision of model laws influences the legislative agenda. Baumgartner and Jones (1993) argue that interest groups can alter the agenda. Interest groups may propose model legislation similar to legislative language some legislator would have written and introduced absent the model legislation. The group may have incentives to propose these sorts of models in order to appear successful to extant or potential donors or members. Suppose that the set of model laws disappeared today. Would legislators still introduce similar bills? A controlled audit study may help researchers determine the causal influence of model legislation provision on the legislative agenda and answer the aforementioned questions.

Using newly available data and computationally intensive methods we can further the field of interest group and state politics. Examining the legislative output via the bill texts, I pin down the nature, extent, and distribution of group influence. By connecting institutions, such as staff resources and term limits, that vary across states and expertise across legislators to group influence, we can illuminate the process by which groups come to influence legislative outcomes.

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[15]See http://www.washingtonmonthly.com/magazine/marchaprilmay_2015/features/a_new_agenda_for_political_ref054226.php?page=all

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Appendix

A1 Soving for the Unconstrained $x(0)_l$

$$u_l = -(x_l - l)^2 - (x_g - x_l)\sigma^2$$

First derivative WRT x_l

$$-2x_l + 2l + \sigma^2 = 0$$

$$x_l = \frac{2l + \sigma^2}{2}$$

A2 Critical Value for c_f

In this section and the next, I show the critical values for c_f, within cases.

1. **Case 1**

   For the legislator to accept the model bill, $\frac{\sigma^4}{4} < c_f + f$

   Solving for c_f, the critical value for c_f is:

   $$c_f^* = \frac{\sigma^4}{4} - f$$

2. **Case 2**

   $$c_f + f > (\sigma_q - l)^2$$
   $$c_f^* = (\sigma_q - l)^2 - f$$

3. **Case 3**

   $$-(\sqrt{\sigma_q^2 - f} - l)^2 - c_f - f < \frac{\sigma^4}{4}$$

   Solving for c_f

   $$c_f^* = -(\sqrt{\sigma_q^2 - f} - l)^2 - f - \frac{\sigma^4}{4}$$

4. **Case 4**

   $$-(\sigma_q - l)^2 > -(\sqrt{\sigma_q^2 - f} - l)^2 - c_f - f$$
   $$-(\sigma_q^2 - 2l\sigma_q + l^2) > -(\sigma_q^2 - f - 2l\sqrt{\sigma_q^2 - f} + l^2) - c_f - f$$

32

$$2l\sigma_q + c_f > 2l\sqrt{\sigma_q^2 - f}$$
$$c_f^* = 2l\left(\sqrt{\sigma_q^2 - f} - \sigma_q\right)$$

A3 Matching Method Examples

Figure A1: *Example of the highlighted overlapping 5-gram strings between a model and state bill. This example recieved a score of 13% similarity.*

Figure A2: *Example of the highlighted overlapping 5-gram strings between a model and state bill. This example recieved a score of 83% similarity.*

A4   List of Groups that Disseminate Model Legislation

In addition to ALEC and SiX, numerous other groups write and disseminate model legislation. Some of these groups produce one model while others are more prolific, publicizing many model bills. The following groups have model bills included in the analysis. American Association of Colleges for Teacher Education http://aacte.org; Alliance for School Choice http://allianceforschoolchoice.org; American Association of Motor Vehicle Administrators http://www.aamva.org/default.aspx; American Bar Association http://www.americanbar.org/aba.html; American Planning Association https://www.planning.org; American Public Policy Alliance http://publicpolicyalliance.org; American Society of Heating, Refrigerating, Air-Conditioning, and Engineers, Inc. https://www.ashrae.org; American University Center for Democracy and Election Management http://www.american.edu/spa/cdem/; The American Law Institute http://www.ali.org; Animal Legal Defense Fund http://aldf.org; Association of Inspectors General http://inspectorsgeneral.org; Americans United for Life http://www.aul.org; Autistic Self Advocacy Network http://autisticadvocacy.org; The League of American Bicyclistshttp://bikeleague.org; Bill of Rights Defense Committee http://bordc.org; Born Free USA http://www.bornfreeusa.org; The CATO Institute http://www.cato.org/about; Change Lab Solutions http://changelabsolutions.org; Compact for America http://www.compactforamerica.org; Constitution Project http://www.constitutionproject.org; The Council of State Governments http://www.csg.org/index.aspx; Discovery Institute http://www.discovery.org; DOJ http://www.justice.gov; DOL http://www.dol.gov; Electronics TakeBack Coalition http://www.electronicstakeback.com/home/; Good Jobs First http://www.goodjobsfirst.org; The Innocence Project http://www.innocenceproject.org; The Institute for Justice http://www.ij.org; National Alliance for Public Charter Schools http://www.publiccharters.org; National Association of Insurance Commissioners http://www.naic.org; National Association of Medicaid Fraud Control Units http://www.namfcu.net; National Association of Sports Officials http://www.naso.org; National Consumer Law Center http://www.nclc.org; National Council for Interior Design Qualification http://www.ncidqexam.org; National Council on Disability http://www.ncd.gov; National Court Reporters Association http://www.ncra.org; National Criminal Justice Reference Service

https://www.ncjrs.gov; National Hispanic Caucus of State Legislators http://www.nhcsl.org; National Legislative Association on Prescription Drug Prices http://www.reducedrugprices.org; National Partnership for Women and Families http://www.nationalpartnership.org; OffNow http://www.offnow.org/legislation; Personal Watercraft Industry Association http://www.pwia.org; Polaris Project http://www.polarisproject.org; Prison Policy Initiative http://www.prisonpolicy.org; ProEnglish https://www.proenglish.org; Project on Student Debt http://projectonstudentdebt.org; Real Estate Valuation Advocacy Association http://www.revaa.org; Recreational Off-Highway Vehicle Association http://www.rohva.org; Americans for Safe Access http://www.safeaccessnow. org; SEMA Action Network http://www.semasan.com/page.asp?content=startpage&g=semaga; Smart Growth America http://www.smartgrowthamerica.org; Tenth Amendment Center http://tenthamendmentcenter. com; UPSTREAM http://upstreampolicy.org; Uniform Law Commission http://www.uniformlaws. org; The Wireless Infrastructure Association http://www.pcia.com

A5   Data Per State

	State	Years	# Bills	Total # Versions
1	AL	1995-2014	48745	180682
2	AK	1995-2014	9677	39601
3	AZ	1995-2015	26207	110240
4	AR	1995-2015	26708	106190
5	CA	1993-2015	60045	162577
6	CO	1991-2015	19102	141592
7	CT	1993-2014	53304	190382
8	DE	1991-2015	14339	59296
9	FL	1992-2015	61544	291720
10	GA	1995-2015	55948	213868
11	HI	1995-2014	65791	226156
12	ID	1995-2014	14148	49222
13	IL	1993-2014	109251	337698
14	IN	1995-2014	28461	111625
15	IA	1995-2015	33779	90806
16	KS	1993-2015	18854	69390
17	KY	1995-2015	29481	109616
18	LA	1993-2014	49464	244260
19	ME	1995-2013	20431	78998
20	MT	1995-2015	23059	82962
21	NE	1995-2013	17390	58312
22	NV	1995-2015	12764	65818
23	NH	1995-2015	16575	87554
24	NJ	1990-2014	89927	227788
25	NM	1995-2015	36039	100238
26	NY	1993-2015	175381	449178
27	NC	1995-2014	33731	148892
28	ND	1995-2015	11068	60676
29	OH	1991-2014	15823	57663
30	OK	1995-2015	45710	277994
31	OR	1995-2014	30139	122006
32	MD	1995-2014	48291	191372
33	MA	1991-2014	59812	131662
34	MI	1991-2014	52267	193746
35	MN	1995-2014	70841	176718
36	MS	1995-2014	66135	233492
37	MO	1995-2015	33675	114314
38	PA	1991-2014	63532	170608
39	RI	1995-2014	50348	190588
40	SC	1995-2015	37788	134860
41	SD	1995-2014	11662	54560
42	TN	1995-2015	78939	264408
43	TX	1995-2015	97816	414730
44	UT	1994-2015	16053	93996
45	VT	1995-2014	13557	49168
46	VA	1992-2014	63970	318043
47	WA	1995-2015	43373	161072
48	WV	1995-2014	44257	138806
49	WI	1991-2014	23197	79956
50	WY	1995-2014	8107	40414