

STATE	STATUTE – current or pending	SUMMARY OF STATUTE	RELATED CASES	OTHER RELATED STATUTES
Alabama	Ala. Code § 17-14-31 (2008)	Electors must pledge to vote for the candidate from the party that they represent.	<u>Ray v. Blair</u> 343 U.S. 214; 72 S. Ct. 654; 96 L. Ed. 894; 1952 Supreme Court holds pledge to enforce party-elected candidate constitutional in that it does not violate the 12 th Amendment because it (the 12 th Amendment) does not provide an absolute freedom to vote by an elector's own choice.	<p>§ 17-13-102: In order for a candidate to get on the primary ballot, they may file a petition or petitions signed by a total of not less than 500 qualified electors of the state, or petitions signed by not less than 50 qualified electors of each congressional district of the state, in which case there shall be a separate petition for each congressional district</p> <p>§ 17-14-30: Electors shall meet on the prescribed day, number of electors shall equal number of senators and representatives.</p> <p>§ 17-13-100: Describes process of primary elections.</p> <p>§ 17-14-36: Electors are to assemble the first Tuesday after the election at the office of the Secretary of State and vote and must at once proceed by ballot and plurality of votes to supply the places of those who fail to attend on that day and hour</p> <p>§ 17-14-32: A vote for a candidate for President or Vice-President shall be counted as a vote for the electors of the political party or independent body by which such candidates were named</p> <p>§ 17-14-37: Electors shall be compensated \$8/day, + 20 cents/mile.</p> <p>§ 17-14-33 In all elections for electors for President and Vice-President, the canvassing board of each county must, within five days after making the statement of the county vote by precincts, return the result to Secretary of State</p> <p>§ 17-14-35: Governor is tie breaker in elector elections</p>
Alaska	Ak. Statutes § 15.30.090 (2009)	Electors shall vote for the candidate from the party that selected them as an elector.	None	<p>§ 15.30.90 Duties of Electors, after vacancies have been filled, electors will cast votes for candidates for the office of president for the party they represent.</p> <p>§ 15.30.25 Third party political parties may be organized by petition that states intent to select candidates for electors.</p>

Arizona	None		<p><u>Campbell v. Hull</u> 73 F. Supp. 2d 1081, 1999 U.S. Dist. LEXIS 17707 (D. Ariz. 1999), holding that Arizona should allow 3rd party candidates on ballots (cites statute, but doesn't get into electors extensively)</p>	<p>Ariz. Rev. Statutes §16-344 (2008) Electors shall nominate whom they choose (no requirement for party allegiance). §16-341 (G): Nomination petition process for presidential electors §16-246: any elector who is eligible to vote in the presidential preference election may make a verbal or signed, written request for an official early ballot to the county recorder or other officer in charge of elections for the county in which the elector is registered to vote. § 16-507: Presentation of electors on ballot. §16-312: A person who files a nomination paper pursuant to this section for the office of president of the United States shall designate in writing to the secretary of state at the time of filing the name of the candidate's vice-presidential running mate, the names of presidential electors who will represent that candidate and a statement signed by the vice-presidential running mate and designated presidential electors that indicates their consent to be designated §16-246: Each person who is properly registered as an elector in any precinct in this state and who has begun residence in another state after the thirtieth day immediately preceding an election in which presidential electors are chosen shall retain his right to vote for presidential electors to be elected</p>
Arkansas	None		None	<p>Ark. Code § 7-8-302: Details presidential elector process, but does not specify a required party-line vote. § 7-8-306: Electors shall meet in the state capital building at 10 A.M. and vote, shall receive compensation for mileage, electors filling vacancies get same compensation. § 7-8-307: In case any person duly elected an elector of President and Vice President of the United States shall fail to attend at the Capitol on the day on which his or her vote is required to be given, it shall be the</p>

				<p>duty of the electors of President and Vice President attending at the time and place to appoint persons to fill the vacancies</p> <p>§ 7-8-305: Publication of results. Governor shall proclaim the persons composing the list so elected to be the electors of President and Vice President by mailing the electors a triplicate certificate of their appointment under the seal of the state; and</p> <p>§ 7-8-304: Within twenty (20) days after the holding of the election, and sooner if all the returns are received by either the Governor or by the Secretary of State, the constitutional officers of this state, or any two (2) of them, shall proceed, in the presence of the Governor, to open and canvass the election returns and to declare which set of candidates for President and Vice President received the highest number of votes so cast, and the candidates' party's electors shall be taken and deemed to be elected as electors of President and Vice President.</p>
California	Cal. Elec. Code § 6906	Electors shall vote for designated party candidate.	None	<p>§ 8303: Whenever a group of candidates for presidential electors, equal in number to the number of presidential electors to which this state is entitled, files a nomination paper with the Secretary of State pursuant to this chapter, the nomination paper may contain the name of the candidate for President of the United States and the name of the candidate for Vice President of the United States for whom all of those candidates for presidential electors pledge themselves to vote</p> <p>§ 13205: Instructions for voters on elector ballot</p> <p>§ 8304: When a group of candidates for presidential electors designates the presidential and vice presidential candidates for whom all of the group pledge themselves to vote, the names of the presidential candidate and vice presidential candidate designated by that group shall be printed on the ballot</p> <p>§ 19303: No straight party voting device shall be used except for</p>

				<p>delegates to a national convention or for presidential electors.</p> <p>§ 15505: Process of confirming presidential electors by secretary of state.</p> <p>§ 7300: Process for selecting/informing presidential electors</p> <p>§15632: Process for recount</p>
Colorado	CRS § 1-4-304	Each presidential elector shall vote for the presidential candidate and, by separate ballot, vice-presidential candidate who received the highest number of votes at the preceding general election in this state.	None	<p>CRS § 1-5-403: Content of ballots for general and congressional vacancy elections, When presidential electors are to be elected, their names shall not be printed on the ballot, but the names of the candidates of the respective political parties or political organizations for president and vice president of the United States shall be printed together in pairs under the title "presidential electors"</p> <p>CRCP 100: Any qualified elector wishing to contest the election of any person to the office of presidential elector, supreme court justice, court of appeals judge, district, or county judge, shall within thirty days after the canvass of the secretary of state, in case of a presidential elector, supreme court justice, court of appeals judge, or district judge, file in the office of the secretary of state a written statement of his intention to contest.</p> <p>CRS § 1-5-402: Any convention of delegates of a political party or any committee authorized by resolution of the convention may nominate presidential electors.</p> <p>All nominations for vacancies for presidential electors made by the convention or a committee authorized by the convention shall be certified by affidavit of the presiding officer and secretary of the convention or committee.</p>
Connecticut	Con. Gen. Stat. § 9-176	Electors shall vote for the candidate from the party in which they are pledged to.	None	Con. Gen. Stat. § 9-175 Describes electoral process more generally
Delaware	15 Del C § 4303	In all cases, electors must cast their vote with the plurality of voters in that state	None	15 Del. C. § 4301: Electors of a President and Vice-President of the United States shall be chosen at the general election held in the year of a

				<p>presidential election. 15 Del. C. § 4302: The Governor in October next preceding every election of presidential electors shall by proclamation make known the number of presidential electors to be chosen and the day of the election 15 Del. C. § 4304: In case of the death or inability to attend of either of the electors or if either of the electors be not present at the time and place of meeting by 12:00 noon, the electors present shall appoint an elector in the place of the elector not present. 15 Del. C. § 7331: In failure to elect electors, general assembly shall convene and do it. 15 Del. C. § 4306: Compensation for electors 15 Del. C. § 7333: No member of the Delaware General Assembly shall be appointed elector.</p>
Florida	§ 103.021(1)	Each such elector shall be a qualified elector of the party he or she represents who has taken an oath that he or she will vote for the candidates of the party that he or she is nominated to represent	None	<p>§ 103.061: Filling vacancies, meeting or electors: if it should be found that one or more electors are absent, the electors present shall elect by ballot, in the presence of the Governor, a person or persons to fill such vacancy or vacancies as may have occurred through the nonattendance of one or more of the electors § 103.011: Electors shall be elected on the first Tuesday after the first Monday in November of each year the number of which is a multiple of 4. Votes cast for the actual candidates for President and Vice President shall be counted as votes cast for the presidential electors supporting such candidates. § 103.091: The state executive committee of a political party may by resolution provide a method of election of national committeemen and national committeewomen and of nomination of presidential electors, if such party is entitled to a place on the ballot as otherwise provided for presidential electors, and may provide also for the election of delegates and alternates to national conventions. § 103.071: Electors shall be compensated for travel to Tallahassee</p>

				<p>§ 103.051: Electors shall convene in Tallahassee at the appropriate date/time for voting</p> <p>§ 103.062: If any more than the number of persons required to fill the vacancy as provided by s. 103.061 receive the highest and an equal number of votes, then the election of those receiving such highest and equal number of votes shall be determined by lot drawn by the Governor in the presence of the presidential electors attending.</p> <p>§ 103.022: Write in candidates shall file with the department a certificate naming the required number of persons to serve as electors</p>
Georgia	None		None	<p>O.C.G.A. § 21 -2-12: If any such presidential elector shall die, or for any cause fail to attend at the seat of government at the time appointed by law, the presidential electors present shall proceed to choose by voice vote a person of the same political party or body</p> <p>O.C.G.A. § 21-2-10: Every fourth year, there shall be elected by the electors of this state persons to be known as electors of President and Vice President of the United States and referred to in this chapter as presidential electors, equal in number to the whole number of senators and representatives to which this state may be entitled in the Congress of the United States</p> <p>O.C.G.A. § 21-2-172: Any political party desiring to nominate its presidential electors by convention, any political body desiring to nominate its candidates qualifying with petitions by convention, and any political body desiring to nominate its candidates for state-wide public office shall, through its state executive committee, adopt rules and regulations in conformity with this Code section governing the holding of such conventions for the nomination of candidates for any state, district, or county office</p>
Hawaii	HRS § 14-28	Electors shall vote for their designated party candidate.	None	HRS § 14-29 Electors shall name persons voted for President/Vice President in separate ballots

Idaho	None		None	Idaho code § 34-1502: Election of presidential elector: there shall be an election held in this state for the election of such electors , at the times appointed by any law of the Congress or the Constitution of the United States for such election § 34-711A: The secretary of state shall certify the independent presidential electors , and the independent candidates for president and vice-president, to the county clerks on or before September 7 § 34-711: The state chairman of each political party shall certify the names of the presidential and vice-presidential candidates and presidential electors to the secretary of state on or before September 1 § 34-1501: Secretary of State shall prepare list of electors § 34-1503: Electors shall convene at prescribed date/time/place
Illinois	None		None	PUBLIC ACT 95-714 / HOUSE BILL 1685 / 2007 ILL. ALS 714; 2007: Adoption of Popular Vote Act, detailing proposed revised electoral process. At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such § 10 ILCS 5/2A-2. President of the United States as this State may be entitled to elect shall be elected at the general election, immediately preceding the expiration of the term of the incumbent President of the United States. § 10 ILCS 5/21-4. Details meeting date and compensation for electors.
Indiana	None		None	None
Iowa	§ 54.5	If a presidential or vice-presidential candidate dies or is removed from the ballot before the	None	None

	§ 54.7	<p>general election, the state central committee of the political party or the governing committee of the national party can find a substitute candidate.</p> <p>If any elector is absent from the meeting after the election, the electors present must vote in a replacement</p>		
Kansas	§ 25-802	If there are any vacancies in the electoral college because of death or because the elector refuses to act, then the electors present vote in a replacement who has to adhere to the guidelines of the U.S. Constitution.	None	None
Kentucky	None		None	None
Louisiana	None		None	None
Maine	21-A MRS § 805	The presidential electors are required to cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in the State. The presidential electors of each congressional district are required to cast their ballots for the presidential and vice-presidential candidates who received the largest number of votes in each respective congressional district. Statute does not address non-compliance	None	None
Maryland	Md Ann Code art 33, § 8-505	After taking the oath in Article I §9 of the state constitution, the presidential electors are to cast their votes for the	None	§ 8-504: This statute states that electors shall be elected at large.

		<p>presidential and vice presidential candidates who got the plurality of the votes cast in the state. Anyone appointed to fill a vacancy is entitled to all of the rights and privileges of the duly elected electors</p>		
Massachusetts	MGL, ch. 53, § 8	<p>Certificates of nomination made by convention or caucus have to include any provisions that are made for filling vacancies in case the candidate dies, withdraws or is otherwise ruled ineligible. State committees of the respective political parties nominate the presidential electors. Electors have to submit an acceptance form that includes a pledge by the presidential elector to vote for the candidate named in the filing.</p>	None	None
Michigan	MCL § 168.47	<p>If an elector doesn't resign before the governor receives the certificate of the electors or within 48 hours after receiving it, it signifies that the elector consents to serve and cast his vote for the presidential and vice-presidential candidates appearing on the Michigan ballot of the political party that nominated the party. If the elector doesn't vote for the candidates on the ballot of the political party that nominated the elector, it constitutes a resignation, his vote won't be recorded and the remaining electors will fill the vacancy by ballot with the plurality of votes.</p>	None	None

Minnesota	§ 208.03	Electors are nominated at delegate conventions run by the respective state central committees of the parties of the state. The chair of each of the major parties has to submit the names of the electors to the secretary of state.	None	<u>Democratic-Farmer-Labor State Central Committee v. Holm</u> , 227 Minn. 52, 33 N.W.2d 831 Except to the extent that jurisdiction was conferred by statute, the courts had no power to interfere in disputes within a political party as to the regularity of its conventions, absent fraud or oppression, which did not include alleged irregularities in the seating of delegates involved in contests.
Mississippi	SEC. 23-15-785	Each elector has to sign a statement that accompanies the certificate of nomination in which the elector agrees to elect the nominees in the certificate of nomination.	None	None
Missouri	§128.040	Not many statutes regarding electors, just one dealing with elector election. Basically states that the qualified voters in each district choose the elector.	None	None
Montana	13-15-104 13-15-107	The electors are required to cast their votes for the candidates who received the most votes during the election. If there is a vacancy, the electors present pick the replacement.	None	None
Nebraska	Neb. Rev. Stat. §32-714	-If any elector is absent or if there is a deficiency in the proper number of electors, those electors present will elect from the citizens of the state the amount to fill the deficiency. If they can't, the governor will. -Each at-large presidential elector will vote for the presidential and vice-presidential candidates who received the highest number of	N/A	None

		votes in the state. Each congressional district presidential elector will vote for the presidential and vice-presidential candidates who received the highest number of votes in his or her congressional district		
Nevada	NRS § 298.050	The presidential electors must vote only for the nominees that prevailed in the state.	§298.040 Should there be a vacancy due to death or the number of presidential electors be deficient, the national committeeman or the state chairman of the party whose nominees received the greatest number of votes shall fill the deficiency with qualified electors affiliated with the prevailing party	None
New Hampshire	None		None	None
New Jersey	None		§ 19:13-21 If a presidential elector vacates their nomination the vacancy will be filled by the committee that has been delegated to fill such vacancy, otherwise by the state committee of the political party of the vacant elector.	None
New Mexico	NM Stat. Ann §1-15-9	All presidential electors will vote for the nominees of the party who elected them; if they do not they will be guilty of a fourth degree felony	§ 1-15-7 If there is a vacancy due to death or if the number of electors is not complete the governor will fill the vacancy with a state voter who was nominated by the state chairman of the	None

			political party of the elector who is vacant.	
New York	None		None	None
North Carolina	N.C. Gen. Stat. §163-212	Any elector who fails to vote for the candidate of the political party which nominated the elector will forfeit, pay \$500, as well as resign as an elector and his vote will not be recorded	§ 163-114 If there is a vacancy it will be filled by state executive committee of political party of which vacancy occurs	None
North Dakota	None		§16.1-14-05 If a vacancy of an elector exists for any reason, the electors present at the meeting will fill such vacancy by ballot by a plurality of the votes.	None
Ohio	ORC Ann. §3505.40	The electors will vote for the nominees of president and vice president of the political party that certified them as a presidential elector	None	None
Oklahoma	Okla. Stat. § 10-102	Every nominee for presidential elector will subscribe to an oath stating that they will vote for the president and vice president nominated by the national convention of his party.	§ 10-108 Any vacancy shall be filled by the electors present at the time § 10-109 Any elector who violates their oath will be guilty of a misdemeanor and fined no more than \$1000	None
Oregon	ORS § 248.355	An elector will sign a pledge that they will vote for the candidates of their party for President and Vice President.	§298.040 If there is any vacancy of an elector caused by death, refusal to act, or neglect to attend the electors present immediately will fill it	None

			by plurality of voice votes	
Pennsylvania	None		§ 3193 If a presidential elector dies or is vacant from his position for any reason the electors present will vote for an elector of the same political party	None
Rhode Island	None		§ 17-4-11 If a presidential elector is vacant at the time of his duties for any reason (death, refusal to act, neglect to attend, etc) the electors present will fill the vacancy by a roll call and a plurality of votes.	None
South Carolina	SC Code Ann § 7-19-80	Candidate for elector must declare for whom he will vote if elected and must vote for that person. Voting contrary to declaration is violation of election laws. Anyone selected to fill vacancy must vote for the candidate the elector whose place he is taking declared. Any registered elector can institute action to require compliance and Attorney General shall institute criminal action for violation. Executive committee of the party from which the elector was elected may relieve the elector from obligation to vote according to declaration if in the state's best interest based on circumstances that have arisen	None	§ 7-19-70 (Election of presidential electors and certificates of appointment); § 7-19-90 (Meeting of electors; organization; balloting and certification of results. Vacancy filled by vote of other electors.); § 7-19-100 (Disposition of certificates and lists); § 7-19-110 (Compensation and expenses of electors)

South Dakota	None		None	§ 12-6-57 (Meeting of party committee to fill vacancy); § 12-24 (Notice to governor of readiness to perform duties, replacement of elector failing to appear by vote of electors that are present, notice and powers of elector chosen to fill vacancy, time and place of performance of duties, compensation of electors)
Tennessee	Tenn Code Ann § 2-15-104(c)	(1) Electors shall cast ballots for the candidates of the political party which nominated them. (2) If presidential candidate is dead, electors may cast ballots as they see fit. (3) If vice presidential candidate is dead, electors must cast ballot for presidential candidate of the party that nominated them, but may cast ballots for vice president as they see fit.	None	§ 2-15-101 (election of electors); § 2-15-102 (residence requirements for electors); § 2-15-105 (vacancies filled by election of electors present)
Texas	None		None	Texas Code § 2-192 – all of Subchapter A deals with presidential electors – pertinent sections are § 192.004 (if vacancy occurs before presidential election day, a replacement elector may be named by the party that nominated the elector candidate or by the independent or write-in candidate who named the elector); § 192.007 (other than vacancies filled pursuant to .004, vacancy will be filled by majority vote of electors meeting to vote)
Utah	Utah Code Ann § 20A-13-304	If elector casts ballot for someone not nominated by the party of which he is an elector (except upon the death or felony conviction of that candidate) he will be considered to have resigned, his vote will not count, and the remaining electors will appoint another person to fill his vacancy	None	§ 20A-13-301 (each registered political party to choose persons to act as electors and to fill vacancies in the office of elector according to their own bylaws); § 20A-13-303 (vacancy to be filled by political party represented by the elector who caused the vacancy)

Vermont	17 VSA § 2732	Electors must vote for the candidates who received the greatest number of votes at the general election. Also covers vacancy, which is to be filled by a vote of the electors present.	None	17 VSZ § 2721 (electors for major political parties to be nominated at the party platform convention)
Virginia	VA Code Ann § 24.2-203	Electors selected by the state convention of any political party are required to vote for the nominee of the national convention to which the state convention elects delegates. Electors named as provided in § 24.2-543 (essentially third party candidates) required to vote for that candidate. Also deals with vacancies, which are to be filled by vote of the electors present.	None	§ 24.2-202 (qualified voters of the state choose electors at the general election)
Washington	RCW § 29A.56.320 RCW § 29A.56.340	Electors must sign a pledge that he will vote for the candidates nominated by the party of which he is an elector. (also noted that the names of presidential electors shall not appear on the ballots) Any elector who votes for a person not nominated by the party of which he is an elector is subject to a civil penalty of up to \$1000.00. Also notes that vacancies are to be filled by vote of electors present.	None	RCW § 29A.56.320 (presidential electors elected)
West Virginia	None		None	West Virginia Code § 3-4-21 (electors nominated by the delegated representatives of the political party during state convention); § 3-1-14 (vacancies filled by appointment of the electors present)

Wisconsin	Wis Stat § 7.75(2)	Elector required to vote according to political party which nominated them (or for candidate who nominated / filed their names under § 8.20 or § 8.185) except that elector isn't required to vote for a candidate who is deceased at the time of the meeting.	None	§ 7.75 (1) (vacancies filled by vote of electors present); § 8.18 (electors nominated at convention composed of candidates for the senate and assembly nominated by each political party, the state officers and holdover state senators of each political party); § 8.185 (write-in candidates must file a list of presidential electors); § 8.20 (nomination papers for independent candidate must list candidate for elector)
Wyoming	Wyo Stat § 22-19-108	Electors shall vote for the candidates receiving the highest number of votes in the general election.	None	All of Title 22, Chapter 19 deals with electors. Pertinent sections include § 22-19-105 (vacancies prior to general election to be filled by the state central committee of the political party); § 22-19-106 (vacancy during meeting to be filled by a majority of electors present)
DC	§ 1-1001.08(g)	Elector shall take an oath or solemnly affirm that he will vote for the candidates of the party he has been nominated to represent, and it shall be his duty to vote in such manner.	None	None