



State Deadlines for National Party Presidential Candidate Certification for November 2012 General Elections

06/01/10

Summary:

27 States responded

- 18 states have statutory dates or deadlines for receiving certification of the major party candidate for President/Vice President in 2012.
 - 5 of those states have deadlines that fall on or before August 31, 2012
 - 9 of those states have deadlines that fall on or before September 7, 2012
 - Two of these states said a practical deadline would be August 31
- 9 states referenced a practical deadline
 - 5 of these states listed practical deadlines that fall on or before August 31, 2012
 - 4 of these states listed practical deadlines that fall on or before September 7, 2012
- There are 15 states that would be able to get candidates' names on the ballot if deadlines are missed, but it would mean UOCAVA and other absentee ballots mailed late, or maybe names on all other ballots except UOCAVA ballots, compressed printing and proofing deadlines, use of stickers or other methods to add after printing has been done.
- There are 7 states that would **not** be able to get candidates' names on the ballot if deadlines are missed.
- There are 5 states that have reported that there is nothing about this matter in their statute or they are unsure about this question.

State	Statutory Deadline for Nov 2012 Major Party Candidates for Pres or Ballot Certification	No Statutory Deadline but Practical Deadline	If not received by then, is there a way for parties to get candidates on the ballot
Alabama	September 6, 2012		No response
Alaska			

Arizona			
Arkansas			
California	n/a	Date 68 days prior to the election (August 30, 2012)	A candidate cannot be added to the Certified List after it is issued on August 30, 2012, without a court order. In the past, when a conflict has arisen, our office has coordinated with parties to provide us with candidate names prior to their convention
Colorado			
Connecticut	No	First week in September 2012 to meet 45 day requirement for UOCAVA ballots	No response
Delaware			
District of Columbia			
Florida			
Georgia			
Hawaii			
Idaho	September 6, 2012 (34-711 Idaho Code)		No
Illinois	No statutory deadline	60 days (Friday, September 7, 2012)	Yes, the SBE is required to follow the certification of the national parties.
Indiana			
Iowa	August 17, 2012 (81 days prior to Election Day)		Iowa's law says that if the presidential candidates are not certified by the deadline, the Secretary of State can get a certification from the state party chairs, or the certification can be filed within 5 days after the convention. However, this would be very difficult for the 99 county auditors to get ballots ready for mailing on September by September 21 if a certification is not available until September 8 th . Ballots have to go to print and be tested prior to mailing. Many of our counties use the same printer, so it puts a tremendous stress on the printer as well.
Kansas	No statutory deadline	First week of September, to meet the 45-day UOCAVA ballot distribution deadline	State will accept certifications whenever they are provided, but the candidates' names might not appear on some of the early ballots, such as UOCAVA ballots
Kentucky	September 7, 2012, 4:00 p.m.		No

Louisiana	State central committee to file prior to 5 pm on the 1st Tuesday in September of each year in which a presidential election is to be held (Sept 4, 2012); or national committee has until 5 pm the 1st Friday following the 1st Tuesday in September or (Sept7, 2012)		No
Maine	No	at least 60 days, without major issues	while it may be possible, if less than 60 days we may have difficulty meeting requirements of federal law and/or state law
Maryland	Current state law requires ballot to be certified 55 days before general election – September 12, 2012		The proposed convention dates allows Maryland sufficient time to place them on the ballot under current state law. However, our state laws have not yet been changed to comply with MOVE Act 45 day deadline.
Massachusetts			
Michigan			
Minnesota	August 21, 2012 (77 days before Election Day). State party chairs are required to certify pres/vp names for the ballot by this deadline. So, the answer is no, there is nothing for the national party to do at any time. But is also a no, that the state party cannot add names after the deadline either.		No - but realistically it means at the time of the deadline the state party needs to provide the state with candidate names to put on the ballot regardless of if they have the formal national nomination. So, it's still possible for the party to have pres/vp candidates on the ballot even if the national convention falls after our certification deadline as long as the state party certifies names to the state by the deadline.
Mississippi	Per. Miss. Code Ann. 23-15-785 (3), 60 days prior to election.		Nothing in statute
Missouri	The 12 th Tuesday prior to the election (August 14, 2012) or within seven days after choosing the nominee, whichever is later. Sec. 115.399 RSMo		Court order until the 6 th Tuesday prior to the election. Sec. 115.125.2 RSMo.
Montana			
Nebraska	Sept 8, 2012		nothing in statute
Nevada			
New			

Hampshire			
New Jersey			
New Mexico			
New York			
North Carolina	No	Absentee ballots are mailed 60 days before an election so the practical date would be August 3, 2012.	The reality is that absentee ballots will not be available for mailing.
North Dakota	Original signed documents (no fax or email) by 4:00PM Friday, September 7, 2012		No
Ohio	August 8, 2012 (90 days before general election)		No
Oklahoma	Oklahoma law does not provide a specific deadline for receiving certification of the major party candidates for President and Vice President. The law does require that the major parties certify their nominees for Presidential Electors at least 90 days before the General Election. In 2012, that date will be August 7.	August 31, 2012 is the latest date on which ballot printing could begin if Oklahoma is to meet the 45-day mailing requirement in the MOVE Act.	Once ballot printing has begun, there would not be a way to place candidate names on the ballot. Oklahoma law requires that the names of Presidential Electors and the names of the candidates to which they are pledged be printed on the ballot; however, it would be very difficult to comply if the names were not certified until after August 31.
Oregon	August 28, 2012		It depends. In the past our legislature has temporarily amended statute to allow for the Secretary to file the statement of presidential candidates with local elections officials at a later date based on the parties national conventions. However candidates would still be required to file their certificates of nomination and voters' pamphlet filings by the 8/28/12 deadline.
Pennsylvania	No, but 25 P.S. § 2878 does require the nominee of each political party for the office of President of the United States, within thirty days after his/her nomination by the National convention of such party, nominate as many persons as to be candidates of his/her party for the office of presidential elector as the State is entitled to. However, if for some reason the nominee fails or is unable to make the said nominations in time, then the nominee for	A practical deadline would be 8/24 (70 Day deadline), "Last day for Secretary of the Commonwealth to transmit to each county board of elections a list, as known to exist at the time, of all candidates to be voted on at the November election..." September 20 is the date that county boards of elections are to, as soon as possible after the ballots are printed and in no event later than this day, begin to deliver or mail all absentee ballots to qualified absentee military electors and qualified absentee	Yes, County ballots & Military/absentee ballots are printed & delivered within a reasonable timeframe of the November elections. If a county has printed its ballots and a candidate needs to be added after the fact, the county can perhaps use a sticker, depending on the type of ballot/voting system the county uses.

	such party for the office of Vice-President shall, as soon as possible after the thirty days, make the nominations.	electors overseas.	
Puerto Rico			
Rhode Island			
South Carolina	12:00 NOON, SEPTEMBER 10, 2012	n/a	UNKNOWN
South Dakota	Statute requires certification "immediately" at the close of the convention.	As a practical deadline, September 1	We will delay ballot printing until the certification is received.
Tennessee	No statutory deadline	<p>Practical Deadline is Friday, August 24, 2012. In Tennessee independent candidates for President have a Noon Qualifying Deadline on Thursday, August 16, 2012. Our state law allows these independent candidates to withdraw by Noon, Thursday, August 23, 2012. August 24 is the day after that withdrawal deadline. Tennessee Code Annotated 2-6-310 (b) states ballots shall be printed immediately after the deadline established for withdrawal.</p> <p>This timeframe is practical because it allows for adequate ballot approval and ballot printing prior to the 45 day deadline before the November General Election.</p>	The date of September 12, 2012 , is the last reasonable day for Tennessee to receive Certification of the Candidates for President/Vice President from the two major parties. September 12 is ten days prior to the Military Ballot / Overseas Ballot mailing deadline in our state. A ten day window will be difficult in which to complete first the ballot approval and then ballot printing in 95 county election offices.
Texas	We do have a statutory deadline for the parties to certify their presidential candidates. Section 192.031 of the Texas Election Code requires that the state chair certify the name of the nominees for president and vice president no later than 5 pm of the 70 th day before the election (August 31, 2012) OR 5 pm of the first business day after the adjournment of the party's national presidential nominating convention, whichever is later. Our legislature added this later date language due to questions raised in 2008.	Practical deadline really is about the 70 th day because the Secretary of State must certify the November ballot by the 62 nd day before the election	Legislature added the later date language due to questions raised in 2008. (5 pm of the first business day after the adjournment of the party's national presidential nominating convention, whichever is later.)
Utah			

Vermont	47th day before the general election but we plan to ask the legislature to amend this to the 60th day before the general election.	60th day before the election	No
Virginia			
Washington			
West Virginia	NO	August 28, 2012	YES
Wisconsin			
Wyoming			

Other 2012 Election Calendar events that could be impacted by the late national party conventions

- Illinois - Grace, Absentee and Early Voting could all be impacted.
- Iowa - There is a requirement for a public test as well as ballot publication requirements that are also impacted by the late conventions
- Kentucky - Yes, the ballot printing deadline of September 17, 2012 could be a challenge as one (1) vendor prints for 96 of the 120 counties.
- Missouri - Ballot certification 10th Tuesday prior to the election (August 28, 2012) 115.401 RSMo; Absentee ballots 42 days prior to the election for domestic and 45 days prior to the election for absent military and overseas 115.281 RSMo.
- Ohio- The form of the official general election ballot (which must include the names of presidential candidates) must be certified by the secretary of state to the county board of elections no later than August 28, 2012 in order for all counties to have absent voter ballots available for sending to UOCAVA voters by September 22.
- Tennessee- Mailing military ballots by the 45th day before the November 2010 General Election is the most important deadline that will be impacted by late political party conventions in 2010.
- Pennsylvania - October 19 is the day county boards of elections must begin to deliver or mail all absentee ballots for the November election.
- South Carolina 45-Day UOCAVA deadline
- Connecticut- 90 days to mail military ballots
- West Virginia- This is mostly a ballot printing and proofing problem. In WV, 165 people across the state are tasked with proofing and approving the ballots from the printer. Getting those people together in the various locales to proof and approve is difficult practically and places the ballot printers against an unreasonable deadline