

State responses as of October 12, 2024

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>Alabama</b>	No	Aug 25: "Therefore, there is not a procedure in Alabama state law for splitting or mixing the electors.  The procedure you outline in your message would not be consistent with state law."	Alabama law on when candidates do not appear on ballot: SECTION 17-6-39 Procedure when straight party ticket does not contain names of all candidates. SECTION 17-6-40 Procedure to vote for person whose name not on ballot.	7/15/24		"Nothing has changed since 2020 in regards to electors." 7/15/24, asked about applicability of 17-6-39 and 17-6-40 to presidential election selection blank, 8/23/24
<b>Alaska</b>	No	"The Division's duty to "count votes" begins and ends with the general election ballot, as set forth in the statutes in AS 15.15 and AS 15.20 regarding counting of votes, and for President and Vice President AS 15.30.050: "In voting for presidential electors, a vote marked for the candidates for President and Vice-President is considered and counted as a vote for the presidential electors of the party or for the presidential electors named under AS 15.30.026, as appropriate." The election statutes provide no authority for the Division of Elections to "count" votes for electors that are not done in accordance with AS 15.30 and directly marked on the official general election ballot by selecting a specific presidential candidate."	Alaska prints candidates for presidential elector on the ballot. Ranked choice voting is now used. "Electors of President and Vice President of the United States are selected by election at the general election in presidential election years, in the manner and as determined by the ranked-choice method of tabulating votes described in AS 15.15.350 - 15.15.370." Fancy. Voting occurs through the place of a mark or number next to the candidate's oval. The individual candidates for presidential elector don't have ovals. But the entitlement to use RCV for elector is in law. On the ballot but without an oval.	7/15/24		Sent an email to <a href="mailto:alaskansforbetterelections.com">alaskansforbetterelections.com</a> regarding their vision for implementing RCV on election for presidential electors (8/30)
<b>Arizona</b>	Probably	"The citizen board set up at the county central count facility would examine the selection and attempt to determine voter intent accordingly."	The author interprets Arizona's and Ohio's response regarding "determination of voter intent" to imply that a mixed elector ballot would be counted.	7/15/2024		Asked Maricopa County Oct 12
<b>Arkansas</b>	Unknown	Did not respond in 2020		7/15/24		

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>California</b>	Likely	Did not respond in 2020	<p>California Election Code ELEC § 6902 establishes the legal entitlement to vote for presidential electors.</p> <p>ELEC § 13212: "Except for a voter-nominated office at a general election, under the designation of each office shall be printed as many blank spaces, defined by light lines, as there are candidates to be nominated or elected to the office."</p> <p>ELEC 19303 "If the voting machine is so constructed that a voter can cast a vote in part for presidential electors of one party and in part for those of one or more other parties or those not nominated by any party, it may also be provided with..."</p>	7/15/24, 8/29/24		<p>question of Aug 29:</p> <p>1.) ELEC § 6902 establishes the legal entitlement for voters to vote for presidential electors.</p> <p>This is a statewide vote for 54 seats.</p> <p>2.) ELEC § 13103 prohibits the printing of the names of those candidates on the ballot.</p> <p>3.) ELEC § 13212 requires that there "shall be printed as many blank spaces, defined by light lines, as there are candidates to be nominated or elected to the office." (Except for a voter-nominated office, which Presidential Elector is not.)</p> <p>4.) ELEC § 19303 foresees the installation of a voting machine which allows voters to mix their presidential elector ballot: "If the voting machine is so constructed that a voter can cast a vote in part for presidential electors of one party and in part for those of one or more other parties or those not nominated by any party, it may also be provided with..."</p> <p>Considering the foregoing, I read California law to require the 54 blanks on the ballot, allowing for voters to mix and match their 54 votes."</p>
<b>Colorado</b>	It should, the Colorado Constitution guarantees it.	Did not respond in 2020	"Colorado Constitution, Schedule 20 of the Constitutional Convention of 1876: "The general assembly shall provide that after the year eighteen hundred and seventy-six the electors of the electoral college shall be chosen by direct vote of the people."	12/17/23, 3/30/24, 7/15/24		
<b>Connecticut</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Delaware</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Florida</b>	Unknown	Did not respond in 2020		7/15/24		

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>Georgia</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Hawaii</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Idaho</b>	Yes, allowed by state law	Did not respond in 2020	“A similar small space (figure 2.9) is provided on the ballot for presidential writeins in Idaho (which has four electoral votes) and the District of Columbia (figure 2.10).” Chapter 2, Every Vote Equal ( <a href="https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf">https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf</a> )	7/15/24		
<b>Illinois</b>	Unknown	Did not respond in 2020		7/15/24		“There is no provision for splitting electoral votes.” 7/15/24. asked for a clarification follow up on prohibition of straight tickets in Illinois law, 7/19/24. 8/4, asked for whether county can print presidential elector selection space on ballot
<b>Indiana</b>	No	“The methods you suggest are not allowed under state law. Under current law the ticket of a political party’s candidate for President and Vice President is printed on the ballot. A voter can select one of those President/Vice President tickets on their ballot which is legally considered a vote for the presidential electors selected by that political party and pledge to support that ticket if those electors are selected to cast Indiana’s electoral vote in the electoral college.”		7/15/24		
<b>Iowa</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Kansas</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Kentucky</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Louisiana</b>	Unknown	Did not respond in 2020		7/22/24		8/8, clarification conversation in progress
<b>Maryland</b>	Unknown	Did not respond in 2020		7/15/24		7/16/24 received response returned for clarification
<b>Massachusetts</b>	Unknown	Did not respond in 2020		7/15/24		
<b>Michigan</b>	Unknown	Did not respond in 2020		7/15/24		

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>Minnesota</b>	Yes, allowed in state law	Did not respond in 2020	“Election-Day write-ins (without advance filing) are permitted in fewer states. This option is allowed in Minnesota as the consequence of a 1968 opinion of the Minnesota Attorney General. <sup>82</sup> That ruling declared that a presidential write-in vote may be cast in Minnesota by writing between one and 10 names of persons for the position of presidential elector. The Minnesota Attorney General also ruled that a pre-printed sticker containing the names of between 1 and 10 presidential electors could be employed in Minnesota. Given the small amount of space available for a write-in for president on Minnesota’s ballot (figure 2.2), a pre-printed sticker is the most practical way to cast such a vote.” Chapter 2, Every Vote Equal ( <a href="https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf">https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf</a> ) (Op. Atty. Gen., 28c–5. October 5, 1968)	7/18/24		Oct 10: Acquired Minnesota list of candidate for elector. SOS’ office says that M.R. 8230.1450 prohibits use of stickers on ballots. Requested modern solution instead of stickers Oct 12.

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
Mississippi	Yes, allowed in state law	Did not respond in 2020	Section 23.15.431 of Mississippi election law, entitled "Voting irregular ballot for person whose name does not appear on voting machine," provides: "Ballots voted for any person whose name does not appear on the machine as a nominated candidate for office, are herein referred to as irregular ballots. In voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of names of persons so in nomination and partially of persons not in nomination, or wholly of persons not in nomination by any party. Such irregular ballots shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose. With that exception, no irregular ballot shall be voted for any person for any office whose name appears on the machine as a nominated candidate for that office; any irregular ballot so voted shall not be counted. An irregular ballot must be cast in its appropriate place on the machine, or it shall be void and not counted." Chapter 2, Every Vote Equal ( <a href="https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf">https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf</a> )	7/18/24		Oct 3 requested list of candidates for presidential elector

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
Missouri	Unknown	Did not respond in 2020		7/18/24	In principle, yes, but it is up to the local electoral authority to put a presidential elector blank on the ballot.	<p>Key parts of the conversation between me and the Missouri SOS—</p> <p>me: “So my current understanding is...</p> <p>1.) The SOS does not customarily provide the list of presidential elector candidates to the election authorities. However, in principle, the election authority could request that list from your office (on or after October 15.)</p> <p>2.) The election authority can, in principle, print a presidential elector selection blank on the ballot. And tally votes for those candidates written into the designated blank, with the caveat that some voters will receive ballots before the list of candidates for elector is finalized, and so couldn't use the blank until after October 15.</p> <p>3.) With no law prohibiting or requiring it, and no legal decision prohibiting or requiring it, the decision to go this path is up to the individual election authority.”</p> <p>SOS: “We would agree with what you have listed in point 1.</p> <p>With regard to points 2 and 3, we have previously discussed that Section 115.243 indicates that voters shall cast a vote for a presidential candidate in order to vote for their electors. Accordingly, our office only certifies votes cast for the presidential candidates, applying them as votes to the full slate of associated electors. In the absence of any provision of law to authorize such a scheme as you have proposed, it could be argued that having some counties offering this option and others not offering it could constitute an election irregularity.”</p>

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>Montana</b>	No	"Please see <a href="#">13-25-101</a> through 13-25-107 MCA and 13-25-301 through 13-25-309 MCA and related statutes in Title 13 which govern Presidential Elections. The process you outline is not in conformance with the statute."				
<b>Nevada</b>	Unknown	Did not respond in 2020		7/18/24		
<b>New Hampshire</b>	No	Aug 25 2020: "Current law provides no mechanism for a voter to cast a ballot naming specific electors or to cast a "mixed Presidential Elector ballot." The law directs Moderators to count and report only those votes that are properly cast on an official ballot."		8/23/24		New Hampshire law 656:12 says "there shall be left as many blank lines as there are offices to be filled which a voter may use to write in the name of any person for whom the voter desires to vote" implying that there should be 4 presidential elector selection blanks on the ballot—question 8/23/24  8/24, received response, went back for clarification: "The legal entitlement to elect the electors in NH 653:2 should feed directly into NH 656:12's requirement to have the write-in blanks necessary for voters to cast votes in that election."
<b>New Jersey</b>	Unknown	Did not respond in 2020	NJ laws 19:14-4, 19:53A-5 provide for a method of voting for candidates whose names are not printed on the ballot	7/18/24, 09/06/24		Asked about NJ laws 19:14-4, 19:53A-5, 09/06
<b>New Mexico</b>	No	"At this time it is not possible to vote for a mixed presidential elector ballot due to this statute:  1-15-4. Presidential electors; election."		8/23/24		asked about the presidential elector selection blank
<b>New York</b>	Unknown	Did not respond in 2020		7/18/24		
<b>North Carolina</b>	Unknown	inconclusive response		7/18/24		
<b>North Dakota</b>	Unknown	Did not respond in 2020		7/18/24		

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>Ohio</b>	Likely	It is up to the county boards to determine voter intent.	The author interprets Arizona's and Ohio's response regarding "determination of voter intent" to imply that a mixed elector ballot would be counted. "Ohio Constitution, Article V, Section 2a: "An elector may vote for candidates (other than candidates for electors of President and Vice-President of the United States and other than candidates for governor and lieutenant governor) only and in no other way than by indicating his vote for each candidate separately from the indication of his vote for any other candidate."	12/4/23, 1/4/24, 3/30/24, 8/4/24, 8/26/24		SOS: Any odd instance like that is determined on a case by case basis by the bi-partisan members of the county board." June 6—"We do not have an update at this time." 8/4, asked for county by county question (the Missouri question.) 8/26 inquired about the state constitution Art V, Sec 2a "The names of all candidates for an office at any election shall be arranged in a group under the title of that office."  Oct 3—asked for list of candidates for presidential elector
<b>Oklahoma</b>	No	"While voters are not required to vote straight party, all electors on the ballot are tied to particular candidates. For example, each nominee for President and Vice President have seven electors and the voting targets are options to vote for that President/Vice President and their 7 electors. Mixing and matching electors is not possible nor allowed. "		8/8/24		8/10, clarification question. OK either prints electors on ballot or has candidate list in polling location
<b>Oregon</b>	Unknown	Did not respond in 2020		7/19/24		8/8, clarification conversation in progress



	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>Pennsylvania</b>	Yes, allowed in state law	Did not respond in 2020	“Pennsylvania statute 25 Pa. Stat. § 2963: “To vote for individual candidates for presidential elector, write or stamp their names in the blank spaces provided for that purpose under the title ‘Presidential Electors.’ ... There shall be left at the end of the group of candidates for President and Vice-President of the United States under the title ‘Presidential Electors,’ as many blank spaces as there are presidential electors to be elected, in which spaces the elector may insert, by writing or stamping, the names of any individual candidates for presidential electors for whom he desires to vote.”	12/12/23, 3/30/24, 8/23/24		Oct 3—requested list of candidates for presidential elector
<b>Rhode Island</b>	No	“Rhode Island doesn’t allow for the voting of individual electors. They get voted on as a block/group.”		8/23/24		asked whether a presidential elector selection blank can be put on the ballot—8/24, received response 8/27, wrote back for clarification, 8/28 wrote back with clarification based on RI law.
<b>South Carolina</b>	Unknown	Did not respond in 2020		7/19/24		
<b>South Dakota</b>	Unknown	Did not respond in 2020		7/19/24		
<b>Tennessee</b>	Unknown	inconclusive response	TN law says that elector names “need not appear on ballot” meaning that there is no prohibition of printing names on ballot.	7/19/24		8/8, clarification conversation in progress
<b>Texas</b>	Unknown	Did not respond in 2020		7/19/24		
<b>Utah</b>	No	“ Unfortunately, Utah law requires that voters cast their vote for Presidential candidates and not Presidential Electors on their ballots.”		8/23/24		asked about presidential elector selection blank
<b>Vermont</b>	Unknown	Did not respond in 2020		7/19/24		
<b>Virginia</b>	No	“ Virginia law requires votes to be cast on official ballots”		9/8/24		
<b>Washington State</b>	Unknown	Did not respond in 2020		7/19/24		

	*Would state accept mixed elector ballot in 2020?	*2020 actual response	*Misc. notes	*Date in which 2024 question was sent	*Would state accept mixed elector ballot in 2024?	*2024 actual response or notes regarding email sent
<b>Washington DC</b>	Yes, allowed in state law	Did not respond in 2020	A similar small space (figure 2.9) is provided on the ballot for presidential writeins in Idaho (which has four electoral votes) and the District of Columbia (figure 2.10). Chapter 2, Every Vote Equal ( <a href="https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf">https://www.every-vote-equal.com/sites/default/files/eve-4th-ed-ch2-web-v1.pdf</a> )	7/22/24		Oct 3 requested list of candidates for presidential elector
<b>West Virginia</b>	Unknown	Did not respond in 2020		7/22/24		
<b>Wisconsin</b>	Unknown	Did not respond in 2020		7/22/24		
<b>Wyoming</b>	Unknown	Did not respond in 2020		7/22/24		
<b>Curent question</b>	Question for guidance:					
	The book posits that the presidential short ballot does not preclude a voter from casting a mixed presidential elector ballot. Voters can use the presidential ticket write-in space to vote for their preferred presidential electors. (That may come in the form of an attached sheet.)					
	The request is whether the ballot would be counted, and if so, how would voters obtain a list of the candidates for presidential elector and use the write-in space to cast their votes.					
<b>clarification question</b>	Generally the clarification question is “what prevents the local electoral authority from printing a presidential elector selection blank on the ballot allowing a voter to write in their votes for presidential elector					