



General Assembly

January Session, 2007

Committee Bill No. 6018

LCO No. 3941

03941HB06018GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT AUTHORIZING THE STATE TO ENTER INTO A COMPACT WITH OTHER STATES TO HAVE THE PRESIDENT OF THE UNITED STATES ELECTED BY POPULAR VOTE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) The Agreement Among the
2 States to Elect the President by National Popular Vote is hereby
3 enacted into law and entered into by this state with all states legally
4 joining therein in the form substantially as follows:

5 This agreement shall terminate if the electoral college is abolished.

6 If any provision of this agreement is held invalid, the remaining
7 provisions shall not be affected.

8 ARTICLE I. Definitions

9 For purposes of this agreement:

10 "Chief executive" means the Governor of a State of the United States
11 or the Mayor of the District of Columbia;

12 "Elector slate" means a slate of candidates who have been
13 nominated in a state for the position of presidential elector in
14 association with a presidential slate;

15 "Chief election official" means the state official or body that is
16 authorized to certify the total number of popular votes for each
17 presidential slate;

18 "Presidential elector" means an elector for President and Vice
19 President of the United States;

20 "Presidential elector certifying official" means the state official or
21 body that is authorized to certify the appointment of the state's
22 presidential electors;

23 "Presidential slate" means a slate of two persons, the first of whom
24 has been nominated as a candidate for President of the United States
25 and the second of whom has been nominated as a candidate for Vice
26 President of the United States, or any legal successors to such persons,
27 regardless of whether both names appear on the ballot presented to the
28 voter in a particular state;

29 "State" means a State of the United States and the District of
30 Columbia; and

31 "State-wide popular election" means a general election in which
32 votes are cast for presidential slates by individual voters and counted
33 on a state-wide basis.

34 **ARTICLE II. Membership**

35 Any State of the United States and the District of Columbia may
36 become a member of this agreement by enacting this agreement.

37 **ARTICLE III. Right of the People in Member States to Vote for**
38 **President and Vice President**

39 Each member state shall conduct a state-wide popular election for

40 President and Vice President of the United States.

41 ARTICLE IV. Manner of Appointing Presidential Electors in
42 Member States

43 Prior to the time set by law for the meeting and voting by the
44 presidential electors, the chief election official of each member state
45 shall determine the number of votes for each presidential slate in each
46 State of the United States and in the District of Columbia in which
47 votes have been cast in a state-wide popular election and shall add
48 such votes together to produce a "national popular vote total" for each
49 presidential slate.

50 The chief election official of each member state shall designate the
51 presidential slate with the largest national popular vote total as the
52 "national popular vote winner".

53 The presidential elector certifying official of each member state shall
54 certify the appointment in that official's own state of the elector slate
55 nominated in that state in association with the national popular vote
56 winner.

57 At least six days before the day fixed by law for the meeting and
58 voting by the presidential electors, each member state shall make a
59 final determination of the number of popular votes cast in the state for
60 each presidential slate and shall communicate an official statement of
61 such determination within twenty-four hours to the chief election
62 official of each other member state.

63 The chief election official of each member state shall treat as
64 conclusive an official statement containing the number of popular
65 votes in a state for each presidential slate made by the day established
66 by federal law for making a state's final determination conclusive as to
67 the counting of electoral votes by Congress.

68 In event of a tie for the national popular vote winner, the
69 presidential elector certifying official of each member state shall certify

70 the appointment of the elector slate nominated in association with the
71 presidential slate receiving the largest number of popular votes within
72 that official's own state.

73 If, for any reason, the number of presidential electors nominated in
74 a member state in association with the national popular vote winner is
75 less than or greater than that state's number of electoral votes, the
76 presidential candidate on the presidential slate that has been
77 designated as the national popular vote winner shall have the power to
78 nominate the presidential electors for that state and that state's
79 presidential elector certifying official shall certify the appointment of
80 such nominees.

81 The chief election official of each member state shall immediately
82 release to the public all vote counts or statements of votes as they are
83 determined or obtained.

84 This article shall govern the appointment of presidential electors in
85 each member state in any year in which this agreement is, on July
86 twentieth, in effect in states cumulatively possessing a majority of the
87 electoral votes.

88 ARTICLE V. Other Provisions

89 This agreement shall take effect when states cumulatively
90 possessing a majority of the electoral votes have enacted this
91 agreement in substantially the same form and the enactments by such
92 states have taken effect in each state.

93 Any member state may withdraw from this agreement, except that a
94 withdrawal occurring six months or less before the end of a President's
95 term shall not become effective until a President or Vice President shall
96 have been qualified to serve the next term.

97 The chief executive of each member state shall promptly notify the
98 chief executive of all other states of when this agreement has been
99 enacted and has taken effect in that official's state, when the state has

100 withdrawn from this agreement, and when this agreement takes effect
101 generally

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Purpose:

To assure election of the president by popular vote.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. DREW, 132nd Dist.

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