

## Major Party Nominating Procedures in States With Conventions

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### Issue

Compare states that use conventions to nominate major party candidates for state or district office. Briefly describe these procedures.

### Summary

Generally, an individual may become a candidate for state or district office by (1) obtaining the nomination of a recognized political party, (2) petitioning to run as an unaffiliated candidate or under a new party designation, or (3) running as a write-in candidate. This report focuses on major party nominating procedures for state and district office candidates in states that utilize conventions. Nominating procedures may differ for presidential or local office candidates, or for minor party or unaffiliated candidates. For example, several states (Kansas, Maryland, Oregon, South Carolina, South Dakota, and Vermont) utilize conventions only for minor parties, which are not covered in this report.

Generally, all state major parties utilize primary elections to nominate candidates for general elections; a minority also utilizes conventions. In some of these states, such as Colorado, Connecticut, and New Mexico, certain nominating procedures are set out in statute. For example, these states each have a statutory threshold for convention delegate votes that candidates must meet in order to receive the party endorsement or gain primary election ballot access. In other states, such as Indiana and Michigan, the law authorizes major parties to establish through their rules their own nominating procedures.

Unless the report indicates otherwise, “state office” means any office for which all state electors may vote and includes the office of Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, Attorney General, and United States senator. “District office” means an office for which only the electors in a district may vote and includes the office of state senator and state representative as well as representatives to Congress.

## Nominating Procedures

Table 1 outlines the process by which major party candidates achieve primary election ballot access in states with conventions. Please note, the table does not discuss certain administrative requirements, such as filing fees and declarations of candidacy that typically apply to the nomination process.

**Table 1: Major Party Nominating Procedures in States with Conventions**

State	Methods of Nominating State or District Candidates
<p><b>Colorado</b> C.R.S.A. §§ 1-4-101, 1-4-601, 1-4-702, 1-4-801, 1-4-802, 1-4-1304</p>	<p>Generally, major parties nominate candidates by primary election. Candidates gain primary election ballot access through the assembly (convention) process or by petition.</p> <p>A party may choose to change the process of nominating candidates from primary election to assembly if at least 75% of the total membership of the party's state central committee votes to do so (except lieutenant governor must be made by the party's candidate for governor).</p> <p><b>Assembly:</b> By law, a candidate needs at least 30% of the assembly votes cast by delegates present and voting to be placed on the primary election ballot. If no candidate receives at least 30% of the votes cast, a second ballot must be cast. If on the second ballot, no candidate receives at least 30% of the votes cast, the two candidates receiving the highest number of votes are placed on the primary election ballot.</p> <p><b>Petition:</b> A candidate who fails to receive 10% of the votes cast for a particular office at the party assembly is not eligible to run by petition on behalf of the same political party and office. The petition must be signed by electors who have been registered with the candidate's political party for at least 29 days and reside in the represented district. In order to be placed on the primary ballot, candidates must submit the required number of signatures</p>

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	(e.g., for state office candidates, including U.S. Senator, 1,500 per Congressional district; for candidates for U.S. House of Representatives or General Assembly, the lesser of 1,000 or 30% of the votes cast in the previous primary for that office).
<p><b>Connecticut</b> CGS §§ <a href="#">9-381</a>, <a href="#">et seq.</a></p>	<p>Generally, major parties nominate candidates by primary election. Candidates gain primary election ballot access through the convention process or by petition.</p> <p><b>Convention:</b> By law, convention delegates vote to endorse one candidate for each office. The candidate who receives the endorsement under the party's rules (usually by receiving a majority of the votes of the convention delegates present and voting) is certified as the party-endorsed candidate. Any other candidate who receives at least 15% of the vote on any roll call at the convention may challenge the endorsed candidate in a primary.</p> <p><b>Petition:</b> By law, candidates for state or district office may petition onto the primary ballot. Signature requirements depend on the office sought. For example, candidates running for (1) state office must submit the signatures of at least 2% of the number of enrolled party members in the state; (2) Congress must submit the signatures at least 2% of the enrolled party members in the applicable district; and (3) state senator, state representative, or probate judge must submit the signatures at least 5% of the enrolled party members in the applicable district.</p>
<p><b>Indiana</b> IC §§ 3-8-4-2, 3-8-4-7, 3-8-4-8, 3-8-4-10</p>	<p><b>Petitions and Primary:</b> By law, major parties must hold a primary election to nominate candidates for Congress, governor, and the state legislature. In order to run in the primary, candidates for U.S. Senate and governor must circulate petitions and submit at least 4,500 signatures from registered voters (at least 500 from each Congressional district).</p> <p><b>Convention:</b> By law, major parties must hold conventions to nominate candidates for state office, other than candidates running for governor or Congress. Party rules determine the convention process. For example, current <a href="#">Republican Party Rules</a> specify the following:</p> <p style="margin-left: 2em;">The candidate receiving a majority vote cast by those delegates present and voting is declared nominated (Rule 7-34). In any state convention, after the first ballot has been taken for any office and no</p>

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	<p>candidate has received a majority vote cast by those present and voting, the candidate having the lowest vote for the office, commencing with the first ballot and every ballot thereafter, is eliminated until some candidate receives a majority vote (Rules 7-35).</p> <p>(Current Democratic Party Rules do not appear to specify the convention's nomination process.)</p>
<p><b>Iowa</b> I.C.A. §§ 43.13, 43.20, 45.1, 43.65, 43.78</p>	<p><b>Petitions and Primary:</b> By law, major party candidates must qualify for the primary by circulating primary petitions. Signature requirements depend on the office sought. For example, candidates running for (1) state executive office (other than governor) must submit 1,000 signatures, including 50 from at least 10 counties; (2) state senator must submit 100 in-district signatures; and (3) state representative must submit 50 in-district signatures. The signature requirements for gubernatorial and congressional candidates are based on the votes cast at the last general election.</p> <p><b>Convention:</b> If more than two candidates run in a primary and no candidate receives at least 35% of the votes cast for that office, the nomination must be made by the party's state convention (for state executive offices) or by the party precinct committee members whose precincts lie within the applicable district (for state senator and state representative).</p>
<p><b>Michigan</b> M.C.L.A. §§ 168.72, 168.162, 168.163, 168.544f</p>	<p><b>Petitions and Primary:</b> By law, major party candidates running for governor, Congress, or the state legislature qualify for the primary by circulating nominating petitions. (A state legislative candidate may pay a \$100 filing fee in lieu of the petition.) Signature requirements depend on the district population. For example, candidate running for statewide office must submit at least 15,000 signatures; those running for state legislature in a district with a population of less than 10,000 must submit three signatures.</p> <p><b>Convention:</b> By law, major parties hold conventions to nominate candidates for lieutenant governor (who run jointly with gubernatorial candidates), secretary of state, and attorney general. Party rules determine the convention process. For example, current <a href="#">Democratic Party Rules</a> specify the following:</p> <p>At the MDP convention or in a district made up of more than one county, each county caucuses separately, tallies their votes for each candidate, and reports the raw numbers of votes to the convention or caucus secretary, who calculates the weighted vote based on the proportion of each county's (or portion thereof) vote for President or</p>

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	<p>Secretary of State relative to the state as a whole. If no candidate receives a majority of the weighted votes, the candidate with the lowest vote total, or candidates tied for the lowest vote total is (are) removed, and the election repeated, until a majority for one candidate is achieved (Rule 5.3).</p>
<p><b>New Mexico</b> N.M.S.A. 1978, §§ 1-8-21, 1-8-21.1, 1-8-33</p>	<p>By law, all major party candidates, other than those running for county office, must circulate nominating in order to qualify for the primary election ballot. After collecting a specified number of signatures, a candidate may seek a “preprimary convention designation” at the convention, which guarantees a place on the primary ballot. Candidates who do not receive the designation must collect additional signatures.</p> <p><b>Petitions:</b> By law, candidates who receive a pre-primary convention designation must submit nominating petitions with signatures, the greater of which is at least (1) 2% of the total party votes in the state or applicable district or (2) 230 voters for statewide offices and 77 voters for congressional candidates.</p> <p>For candidates who fail to receive the designation sought, the nominating petition must contain the signatures of at least 4% of the total party vote in the applicable district or division.</p> <p><b>Convention:</b> By law, conventions are limited to one vote per office. Every candidate receiving at least 20% of the delegate votes is certified as a convention designated nominee.</p>
<p><b>North Dakota</b> NDCC § 16.1-11-06</p>	<p>Generally, major parties nominate candidates by primary election. Candidates gain primary election ballot access by circulating petitions or through the convention process.</p> <p><b>Petitions:</b> By law, major party candidates running for statewide office must submit signatures equal to 3% of the party votes cast for the same office in the last general election, up to a maximum of 300. Candidates running for state legislative office must submit signatures equal to at least 1% of the total resident population of the district, according to the most recent U.S. Census.</p> <p><b>Convention:</b> By law, major parties may hold conventions to nominate candidates. Party rules determine the convention process. For example,</p>

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	<p>under current <a href="#">Republican State Endorsing Convention Rules</a>, a candidate receives the party endorsement upon attaining a majority vote. The rules specify the following:</p> <p>The balloting on candidates shall continue until a candidate has received a majority of the votes cast of the certified convention delegates. If a majority is reached during the announcement and tallying of votes, the convention secretary shall continue the calling and counting until every district has announced its vote and all votes are recorded.</p> <p>At the conclusion of the balloting during which a candidate has received a majority vote of the certified delegates, the convention chair shall declare the candidate endorsed and the official candidate of the party at the primary election to be held in June (Rule No. 14, Section 8).</p>
<p>Utah U.C.A. 1953 § 20A-9-407</p>	<p>Major parties nominate candidates other than those for lieutenant governor by primary election (gubernatorial candidates nominate lieutenant governor candidates). Candidates may gain primary election ballot access by circulating petitions or through the convention process.</p> <p><b>Petitions:</b> Petition signature requirements vary based on the office sought. For example, candidates running for (1) state executive office must submit 28,000 signatures, (2) state senator must submit 2,000 in-district signatures, and (3) state representative must submit 1,000 in-district signatures.</p> <p><b>Conventions:</b> By law, party rules determine the convention process. For example, current <a href="#">Utah Democratic Party Bylaws</a> specify the following:</p> <p>Only delegates residing in the district to be represented can vote. A candidate receiving 60% or more of the votes cast at the convention becomes the party's nominee in the general election, without needing to run in the primary election, provided no other candidate meets the requirements for nomination by petition. If a petitioning candidate exists, a primary is held. If there are more than two convention candidates and no one receives at least 60% of the votes cast on the first ballot, multiple ballots are used. The two candidates receiving the highest number of votes are placed on a second ballot. Again, the candidate receiving 60% or more of the votes cast at the convention becomes the party's nominee in the general election, without needing to run in the primary election, provided no other candidate meets the</p>

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	<p>requirements for nomination by petition. A final ballot is cast if one candidate receives 57% or more of the votes cast, following the same procedure. If on the final ballot, no candidate receives 60% of the votes, both candidates stand for primary election, along with any petitioning candidates.</p> <p>Current <a href="#">Utah Republican Party Bylaws</a> specify the following:</p> <p>In any elections conducted by the state central committee in which more candidates file than the positions being filled, the committee shall use multiple ballots. A majority of votes is necessary to elect. The candidate with the fewest votes shall be eliminated in each round and more than one candidate shall be eliminated when the sum of the votes received by the candidates to be eliminated does not exceed the number of votes received by the next highest candidate, and at least enough candidates remain to fill the position(s).</p>

Sources: Westlaw statute queries, [Ballotopedia.org](http://Ballotopedia.org), state agency elections websites including candidate campaign manuals, state party websites and bylaws, Council of State Government's Book of the States.

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