

Presidential Elections

Elections Clearinghouse Notice

Issue #24-04

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Presidential elections occur every four years and have multiple effects on the General Election ballot. The requirements for presidential elections differ from any other election we conduct.

This clearinghouse replaces Clearinghouse #12-07 issued August 31, 2012.

Qualification to Appear on the Ballot

Presidential candidates are nominated by political party conventions, not a primary. Candidates are official nominees of political parties; this means they do not fall under the Top Two Primary requirements.

Requirements for minor political party and independent candidates are different from requirements for major political party candidates.

Major Political Parties

If a political party's Presidential candidate receives at least 5% of the total votes cast for President, that political party becomes a "major" political party in Washington State until the next presidential election in which the candidate of that political party do not achieve at least 5% of the statewide vote. Currently, the Democratic and Republican Parties are the only major political parties in Washington. ([RCW 29A.04.086](#))

Major political parties need only hold a national convention and certify the names of the candidates and electors to the Office of the Secretary of State to be placed on the General Election ballot. ([RCW 29A.56.320\(1\)](#); [WAC 434-215-165](#))

Minor Political Parties and Independent Candidates

Minor political parties are those that did not meet the requirements of a "major" political party and may include independent candidates. To place minor party Presidential candidates on the ballot, the organization must:

- Hold at least one convention between the first Saturday in May and the fourth Saturday in July. If holding more than one, each convention must have a minimum of 100 attendees. ([RCW 29A.56.610](#))
- Publish notice in a general circulation newspaper within the county where the convention will be held at least 10 days prior to the convention. ([RCW 29A.56.620](#))
- Submit to the Secretary of State a certification of nomination with a minimum of 1,000 signatures from Washingtonian voters no later than the first Friday of August. (RCWs [29A.56.610](#), [29A.56.630](#))
- Submit to the Secretary of State a list of twelve Presidential electors no later than ten days after the adjournment of the convention. ([RCW 29A.56.320\(1\)](#))

- Submit to the Secretary of State all other supporting documents required by law. (See the *Minor Party & Independent Candidates* guide available on the Office of the Secretary of State's website.) ([RCWs 29A.56.640 - 29A.56.660](#))

General Election Ballot Rule Changes

There are two notices as provided in [WAC 434-230-015](#) that apply only to a Presidential Election.

Instructions that accompany a ballot must include the notice:

"If a primary election was held for an office, the two candidates who received the most votes in the primary advanced to the general election.

Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."

"The election for president and vice president is different. Candidates for president and vice president are the official nominees of their political party."

On the ballot, the following statement must be printed in bold after the Presidential candidates and before the US Senate and Congressional races:

"READ: Each candidate for president and vice president is the official nominee of a political party. For other partisan offices, each candidate may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."

Your office may use discretion in formatting these notices; however, the wording must be precisely the same.

The office of President/Vice President is the first office listed on the ballot. Major political party candidates are listed in the order of the votes received at the last Presidential Election. Minor parties and independent candidates follow major parties in the order which each qualified for the ballot. Candidates for President and Vice President are paired together as a "ticket" with a single response position. ([RCW 29A.36.161\(4\)](#); [WACs 434-230-110\(1\)](#) and [\(4\)](#), [434-230-025\(7\)](#))

The full name of the political party must be listed with a designation that these candidates are nominees; for example, "Democratic Party Nominees" and "Republican Party Nominees." Abbreviations are not allowed, and parentheses must not be used. ([WAC 434-230-110\(2-3\)](#))

Electoral College

Members of the Electoral College vote to determine who will ultimately become President and Vice President.

The Electoral College is comprised of electors from every state. Each state receives at least three electoral votes – one for each US Senator, and one for each member of US Congress. Washington has twelve electoral votes. ([3 USC 1 § 3](#))

Each of the twelve electors, nominated by the winning political party, will cast one vote for President and one vote for Vice President. This process is governed by federal law. ([3 USC 1 § 9](#))

Do the election results or electoral votes determine who is the President?

Votes cast for President/Vice President do not directly determine the winner of the race. Each political party provides a list of electors with the candidates' nominations. State electors are members of the winning political party in that state.

Following certification of the General Election, the state electors meet on a date in December set by Congress to cast votes for President and Vice President. These votes determine the winners. ([3 USC 1 § 7](#); [RCW 29A.56.340](#))

Could an elector vote for another candidate not listed on the ballot?

This has rarely happened across the US. Most political parties require electors to vote for the candidate nominated by the national convention.

In Washington State, electors are obligated to execute a pledge to mark their ballots for the nominees of the political party. An elector who refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of the elector's pledge vacates the office of elector, and an alternate elector shall fill in to cast the vote for the nominee of the political party. ([RCWs 29A.56.080 – 29A.56.092](#))