



OLR RESEARCH REPORT

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CROSS-ENDORSING CANDIDATES

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You asked (1) which states permit political parties to cross-endorse candidates and (2) how cross-endorsement works in these states, including Connecticut. This report updates OLR Report [2005-R-0873](#).

SUMMARY

Cross-endorsement (also known as “fusion voting”) is a process whereby two or more political parties (typically a major and minor party) nominate the same candidate for the same office during the same general election. We identified seven states where cross-endorsement is permitted: Connecticut, Idaho, Mississippi, New York, Oregon, South Carolina, and Vermont. However, in two of them, Idaho and Mississippi, fusion voting does not occur in practice, and thus we do not include them in this report.

Laws in the remaining 43 states ban fusion voting (1) directly by explicitly prohibiting multiple party nominations or (2) indirectly by requiring that candidates be members of the nominating party. Since candidates can only belong to one party at any given time, the legal effect of these laws is to ban cross-endorsement.

CROSS-ENDORSEMENT

In all five fusion voting states, candidates must consent to a cross-endorsement, either by actively seeking it from the cross-endorsing party or by agreeing to accept one that is unsolicited. There are no outright restrictions on which parties can cross-endorse candidates (e.g., major parties could theoretically cross-endorse candidates, although this seldom occurs).

In Connecticut, New York, and South Carolina, a cross-endorsed candidate's name appears on the ballot as many times as he or she is chosen as a party's nominee. The candidate's votes on each party's ballot are added together to determine the total number of votes he or she receives. In Oregon and Vermont, the candidate appears on only one ballot line, with all of the applicable party names appearing next to the candidate's name.

Additionally, Oregon, South Carolina, and Vermont have "sore loser" laws, which prohibit a candidate defeated in a primary or nominating convention from running in the general election as another party's nominee or as an independent candidate. In Oregon and South Carolina, a defeated primary candidate cannot run on another party's line, even if he or she was cross-endorsed before the defeat. In Vermont, however, a losing candidate can appear on the general election ballot under a different party if he or she filed to run under that party designation before the defeat.

Table 1 lists states where fusion voting occurs in practice and provides information on (1) how candidate names appear on the ballot, (2) how votes are attributed to the endorsing parties, and (3) whether the state has a sore loser law. It also lists relevant state laws (or chapters of laws) relating to fusion voting and party nominations.

Table 1: States with Fusion Voting

State	Number of Ballot Lines	Party to which Vote is Attributed	Sore Loser Prohibition	Relevant Laws
Connecticut	Multiple lines	<p>Vote attributed to the party line marked by the voter.</p> <p>If a voter votes for the same candidate on multiple lines, the votes are assigned in proportion to the existing vote percentage. (e.g., if one party comprises 80% of the votes for the candidate, then 80% of the duplicate votes are credited to that party).</p> <p>(CGS § 9-242)</p>	No	<p>CGS §§ 9-453(t) & 9-242</p> <p>See generally CGS Chapter 153</p>
New York	Multiple lines	<p>Vote attributed to the party line marked by the voter.</p> <p>If a voter votes for the same candidate on multiple lines, the vote is credited to the party that appears first on the ballot (ballot order is determined by the results of the previous gubernatorial race).</p> <p>(NY Eln. Law § 9-112(4))</p>	No	<p>NY Eln. Law §§ 6-120, 6-146, & § 9-112(4))</p> <p>See generally NY Eln. Law Chapter 6</p>
Oregon	One	<p>Vote attributed to the party that the candidate is a member of.</p> <p>(ORS § 254.135)</p>	Yes	<p>ORS § 254.135</p> <p>See generally ORS Chapters 249, 254</p>
South Carolina	Multiple lines	<p>Vote attributed to the party line marked by the voter.</p> <p>Voting machines must prevent voting for someone more than once for the same office.</p> <p>(SC Code Ann. § 7-13-1640(3))</p>	Yes	<p>See generally SC Code Ann., Title 7, Chapters 11 and 13</p>
Vermont	One	<p>Vote attributed to the party designated by the candidate.</p> <p>If the candidate does not make a designation, the secretary of state makes this determination by lot.</p> <p>(17 VSA § 2474)</p>	Partial	<p>17 VSA § 2474</p> <p>See generally VSA Title 17, Chapter 49</p>

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