

HOUSE RESEARCH

Bill Summary

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Authors: Simon and others

Subject: National Popular Vote Interstate Compact

Analyst: Matt Gehring, 651-296-5052

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This bill would enact an interstate compact related to electing the President and Vice President by popular vote into Minnesota law.

Under the provisions of the compact, each state in which the compact is enacted would allocate its electoral votes to the winner of the nationwide popular vote total for President. Each member state would be required to make a final determination as to the number of votes cast in that state for president no later than six days prior to the required meeting date for the electoral college. Each member state's popular vote total must be communicated to all other states within 24 hours of determination. All vote counts must be made public.

In the event of a tie in the national popular vote total, the electors from each member state would be allocated based on the popular vote totals in that state.

The compact would not take effect until enough states enacted the compact so that the allocation of a majority of the total electoral votes nationwide would be governed by the compact. Currently, four states totaling 50 electoral votes have enacted the compact. A total of 270 electoral votes is required for a majority.

A state may withdraw from the compact, but a withdrawal that occurs during the last six months of a president's term in office is not effective until after a president and vice president are qualified for the next succeeding term. If a withdrawal reduces the number of states participating in the compact so that there is no longer a majority of electoral votes represented, the compact's requirements would not apply again until a majority is achieved, as of July 20 in any year.

An interstate compact is both a statute in each state which is a member to the compact, and a contract between the member states. In order to formally ratify the compact, each state that wishes to become a party to the compact must adopt identical statutory language. Amendments must be ratified by all states that are party to the compact, unless otherwise provided in the agreement (amendment procedures are not provided in this compact).