

43.75 Tie vote.

1. In case of a tie vote resulting in no nomination for any office, except for senator or representative in the general assembly, the tie shall forthwith be determined by lot by the board of canvassers.

2. In case of a tie vote resulting in no nomination for a senator or representative in the general assembly, the party precinct committee members whose precincts lie within the senatorial or representative district involved shall select the winning candidate from among the candidates having received the equal and highest number of votes. The state party chairperson shall convene or reconvene such party precinct committee members as appropriate. The party's state constitution or bylaws may allow the voting strength of each precinct represented at such a convention to be made proportionate to the vote cast for the party's candidate for the office in question in the respective precincts at the last general election for that office.

[S13, §1087-a24; C24, 27, 31, 35, 39, §603; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §43.75]

[2023 Acts, ch 165, §1](#)

Section amended