

State	System	Timeline	Legislative Terms		Si
			House	Senate	House
Alabama	Special Election	Gov. chooses timeline as long as it is prior to the next scheduled general election and the legislative session. If a vacancy occurs on or after October 1 in the year of a regular election, the seat will remain vacant.	4	4	105
Alaska	Gubernatorial subject to approval by the party members in that chamber, Special elections for the senate	Gov has 30 days to appoint unless there will be an election before the next legislative session. If rejected, the Gov. has 10 more days. If there are more than 2.5 years left in a Senate term, there must be a special primary election at the time of the next regularly-scheduled primary election and same with the general.	2	4	40
Arizona	Local Party gives a list of 3 names to the local Board of Supervisors and they choose a nominee. If the party has fewer than 30 precinct chairs in the district, the Board of Supervisors picks a nominating committee.	Local Party has 21 days to send the list (5 if the legislature is in session). Local Board of Supervisors has no time constraints.	2	2	60
Arkansas	Special Election	Governor must issue the writ of election "immediately." "A special election scheduled to occur in a month in which the second Tuesday of the month is a legal holiday shall be held on the third Tuesday of the month." If it is in June of an even year, then it must be the 4th Tuesday of the month. In addition, Gov may decide that a special election is impractical due to timing.	2	4	100
California	Special Election	Governor has 14 days to call the election, but it can be held at any time, unless the election would be "after the close of the nomination period in the final year of the term."	2	4	80
Colorado	Party Appointment via Vacancy Committees	Vacancy Committee has 30 days to nominate a replacement. If they fail to do so, the Gov. has 5 days.	2	4	65
Connecticut	Special Election	Gov has 10 days to call an election that must take place within 46 days. If the vacancy occurs between the 125th and 49th day before the regularly-scheduled election, the special election will be concurrent with the general election.	2	2	151
Delaware	Special Election	Presiding Officer has 10 days to call the election, which must occur within 30-35 days	2	4	41

Florida	Special Election	Gov and Sec of State call an election at their discretion	2	4	120
Georgia	Special Election	Gov has 10 days to call an election that must take place within 30-60 days.	2	2	180
Hawaii	Party sends list to Governor who appoints on a temporary basis until a Special election can be held at the time of the next regularly-scheduled election	Party has 30 days to submit a list of potential nominees to the Gov, who has another 30 days (60 total) to select a nominee. "In the event of a vacancy for a term that does not end at the next general election, the vacancy shall be filled by a special election at the next general election."	2	4	51
Idaho	Party sends a list of names to Governor who appoints for the remainder of the term	Party has 15 days to provide a list of 3 names for the Governor to choose from. If they don't, the Governor has 5 days.	2	2	70
Illinois	Party Appointment	Appointment must take place within 30 days. If it is a Senator who has more than 28 months (2.25 years), then the appointee serves only until the next regularly-scheduled election.	2	4	118
Indiana	Party Appointment (precinct committee members vote)	Precinct Committeemembers have 30 days to select a new legislator.	2	4	100
Iowa	Special Election	Governor has 5 days to call an election. If it is during session or within 45 of the start of session, the special election must occur ASAP with at least 18 days of notice. If not, then there must at least 40 days of notice.	2	4	100
Kansas	Party Precinct Officials vote to nominate someone to the Governor, who must appoint that person	Within 21 days, the County Chairperson must "call and convene a convention of all committeemen and committeewomen of the party of the precincts in such district" to nominate someone that the Governor must then appoint (Kan. Stat. § 25-3902 and 25-3903). There must then be a special election at the time of the next	2	4	125
Kentucky	Special Election	Presiding officer or Governor issues a writ of election, parties must nominate someone at least 49 days before the election.	2	4	100
Louisiana	Special Election (only if there are 6 months or more left in the term)	Presiding officer has 10 days to call an election, which may occur at any time.	4	4	105

Maine	Special Election	Governor calls a special election (but the local municipality may choose that one is unnecessary prior to the next election for the lower house) at any time. Party nominees are chosen by the party and they cannot do it until at least 15 days have passed since the Governor's announcement of the vacancy.	2	2	151
Maryland	Local party may nominate as many people as it wants, Governor must select from list (See, <i>Fuller v. Republican Central Committee of Carroll County</i> )	Party Central Committee has 30 days to nominate one or more candidates, the Governor has 15 days to approve a nominee.	4	4	141
Massachusetts	Special Election	Can be called by the legislative chamber from which it occurred or the presiding officer between elections. Must occur on a Tuesday (Mass. Gen. Laws Ann. ch. 54, § 141). If the vacancy is caused by retirement, then the special election must be concurrent with the next regularly-scheduled election (Mass. Gen. Laws Ann. ch. 50, §6A).	2	2	160
Michigan	Special Election	Governor gets to choose the timing of the election or whether they simply wait for the next regularly-scheduled election. Party can only appoint nominees if the vacancy occurs after the primary.	2	4	110
Minnesota	Special Election	"When a vacancy occurs more than 150 days before the next state general election, and the legislature will not be in session...the vacancy shall be filled at the next state general election." (204D.19 subdivision 1). During the session, the Gov has 5 days to call the election and 35 to hold it. When it is not during session, then the Gov must simply schedule the election such that there is enough time for whomever is elected to be sworn in at the start or reconvening of the next legislative session.	2	4	134
Mississippi	Special Election	Gov has 30 days to call a special election, which must occur at least 60 days thereafter. There must be at least 50 days before the election for all qualifying deadlines. No special election are to be held in a regular-election year.	4	4	122
Missouri	Special Election	Gov can call it at any time as long as they act "without delay"	2	4	163

Montana	Local Party sends a list of 3 names to the County Commissioners, who select from that list	Sec of State has 7 days to notify the local party and the local Board of County Commissioners. The local party Central Committee of the outgoing member sends a list of 3 candidates to the local Board of County Commissioners within 45 days. If they reject the list, the Central Committee must send a new list with all new names. They have 15 days to select someone and send the name to the Secretary of State.	2	4	100
Nebraska	Gubernatorial Appointment	No timeframe for Gov appointment. "If the vacancy occurs at any time on or after May 1 of the second year of the term of office, the appointee shall serve for the remainder of the unexpired term." Otherwise, the appointee will serve until a special election concurrent with the next regularly-scheduled election.	N/A	4	N/A
Nevada	Legislative leadership of the party of the outgoing member will usually make a recommendation to the Local Govt (unless there is a regularly-scheduled election between the vacancy occurring and the next legislative session) and the local government has discretion to select that person or not (they typically do)	No timeframe for Board of County Commissioners to appoint. There are only appointments in years when there is "no biennial election or any regular election at which county officers are to [be] elected...between the time of [the vacancy occurring] and the next succeeding session of the legislature."	2	4	42
New Hampshire	Special Election (but only for vacancies, but if there is a tie in a regular election, the rest of the legislature chooses between the top two vote-getters)	Gov and Exec Council have 21 days to call a special election after the vacancy occurs. "No special election shall be held after March 15 of the second year."	2	2	400
New Jersey	Local Party selects a new legislator to serve temporarily until the next intervening election	The County Committee of the political party of the outgoing member has 35 days to select a new legislator who will only serve until the time of the next regularly-scheduled election (unless they are within 51 days of that election when the vacancy occurs).	2	4	80
New Mexico	Local Government Appointment	Board of County Commissioners has no timelimits to when they can appoint a replacement. If the district crosses counties, then the gov can pick between the multiple nominees (still no timeframe).	2	4	70

New York	Special Election (as long as the vacancy occurs before April 1 of the last year of the unexpired term or there is a special session after that)	No apparent timeframe for Gov to call	2	2	150
North Carolina	Party makes sends nominations which the Governor must select from	Political Party has no timeline to make a recommendation, the Governor has to appoint from that list.	2	2	120
North Dakota	Party Appointment	The District Committee of the outgoing party has 21 days to name a replacement who will serve until the time of the next regularly-scheduled election provided that it is at least 94 days after the vacancy occurs. If 4% of the voters in the district petition for a special election, the Governor may call one.	4	4	94
Ohio	Local Party narrows list and the legislature (who has ultimate authority) usually chooses from that list.	Members of the same party in the same chamber have no time restriction for when they can select a new legislator. If it is a Senator and there are "before or during the first twenty months" of the term, then there will be a special election concurrent with the next regularly-scheduled election. By practice, local parties make recommendations, but this is not	2	4	99
Oklahoma	Special Election	Gov has 30 days to call a special election. No election will be held if it is in the final year of the term. If it is in the year of another regularly-scheduled election but that seat would not ordinarily be up (only for Senators with more than 2 years left in the term), then the special election will be concurrent with that regular election.	2	4	101
Oregon	Local Party sends a list of 3-5 names to the County Commissioners, who select from that list	Local Party must nominate 3-5 people and the Board of County Commissioners must select a new member all within 30 days. Appointments can only be made when the legislature is in session or when there are more than 61 days before the next election.	2	4	60
Pennsylvania	Special Election	Presiding officer can call a special election at any time. No time limits.	2	4	203
Rhode Island	Special Election	Secretary of State calls the election. A special election must be held between 70 and 90 days from the vacancy occurring unless it is after the first Monday of February in an election	2	2	75

		Statute lays out very specific timelines for filing dates: Begins the 3rd Friday after vacancy occurs, qualifying deadline is 8 days later, primary is on the 11th Tuesday after the vacancy occurs, special election is the 20th Tuesday after the vacancy occurs. If the 20th Tuesday is less than 60 days before the next regularly-scheduled election, then the election should be concurrent with that.	2	4	124
South Carolina	Special Election				
South Dakota	Gubernatorial Appointment	no timeline for the Governor to make an appointment	2	2	70
Tennessee	Hybrid: If there is a year or more left in the term, then there will be a special election whenever allowable by law. If there is less than a year left, then the local legislative body (County or City Council) will appoint a new legislator. The local legislature may choose to make an appointment before a special election to serve temporarily.	No constitutional time limit.	2	4	99
Texas	Special Election	Governor must provide at least 36 days notice for an election. If it is classified as an emergency, the election may be at any Saturday or Tuesday after the 36th day and before the 64th day. If it is not, then the election must be concurrent with the next regularly-scheduled election. If it is classified as an "expedited" election, then the Governor must provide at least 21 days notice and the election must be held on a Tuesday or Saturday within 45 days. If the candidate is unopposed, then there is no need for an election.	2	4	150
Utah	A Party liaison nominates someone that the Governor must select to serve on a temporary basis until the next intervening election	A Party Liaison for the party of the outgoing member will nominate someone that the Governor must appoint. There is no timeline. If it is a Senator and the vacancy occurs before the mid-term regularly-scheduled election, then there will be a special election at that time.	2	4	75
Vermont	Gubernatorial Appointment	no timeline for the Governor to make an appointment	2	2	150

Virginia	Special Election	Gov has 30 days to call a special election, must be held within 30 days if March-December or 55 days if not. No special election is needed if it is within 55 days of the next regularly-scheduled election or 75 days of the end of the term. Special elections must be held on a Tuesday and cannot be concurrent with a regularly-scheduled primary.	2	4	100
Washington	Party sends a list of 3 names to the local Board of County Commissioners who appoints for the remainder of the term	All within 60 days, the Central Committee of the Party of the outgoing member must submit a list of 3 names to the local Board of County Commissioners, who must select one to appoint. If they fail to select someone from the list, the Governor has another 30 days to do so.	2	4	98
West Virginia	Party sends a list of names to Governor who appoints for the remainder of the term	Party Executive Committee of the outgoing member has 15 days to submit a list of 3 names, who has 5 days to choose someone from that list. If no list is provided, then the Gov can appoint anyone from the same party.	2	4	100
Wisconsin	Special Election	Gov calls a special election that must be held between 62 and 77 days from the announcement. Special elections may be called in anticipation of a vacancy as well. If it is between 92 and 49 days from a regularly-scheduled primary election, then it may be concurrent with that primary. If it is between 122 and 92 days from a regularly-scheduled primary, it may be concurrent with the general election for that year. No special election may be called if the final legislative session of the term has ended (unless there will be a special session).	2	4	99
Wyoming	Party sends a list of 3 names to the local Board of County Commissioners who appoints for the remainder of the term	Within 15 days, the State Central Committee of the Party of the outgoing member must submit a list of at least 3 names to the local Board of County Commissioners. They then have 5 days to select a nominee from that list.	2	4	60
<b>CITATION</b>		State Constitutions	<a href="https://www.ncsl.org/resolutions/details/number-of-legislative-length-of-terms-in-years">https://www.ncsl.org/resolutions/details/number-of-legislative-length-of-terms-in-years</a>		

**Key**

Full-Term Appointment (by any entity)
Partial-Term Appointment (by any entity)
Special Election
Other



State	ze Senate	Number of vacancies 2019-2023	Constitutional/Statutory provision	Same Party
Alabama	35	18	Ala. Code § 17-15-1.	N
Alaska	20	5	Alaska Stat. § 15.40.320 - § 15.40.470.	Y (unless unaffiliated)
Arizona	30	20	Ariz. Rev. Stat. Ann. § 41-1202.	Y
Arkansas	35	6	Ark. Stat. Ann. § 7-11-103, AR Code § 10-2-118 (2016); Ark. Code § 10-2-119 (2015); Ark. Code § 7-11-105 (2016); Ark. Const. Art. 5, § 6.	N
California	40	14	Cal. Code, 1773 and California Cons. Art. IV, § 2.	N
Colorado	35	20	Colo. Art. 5, § 2(3); Colo. Rev. Stat. § 1-4-802; Colo. Rev. Stat. § 1-12-203.	Y
Connecticut	36	21	Conn. Gen. Stat. § 9-215.	N
Delaware	21	1	Del. Code Ann. tit. 15, § 7101	N

Florida	40	16	Fla. Stat. § 100.101; § 100.111; § 100.141.	N
Georgia	56	19	STATUTE: Ga. Code § 21-2-544.	N
Hawaii	25	9	Haw. Const. Art. 3, § 5; Haw. Rev. Stat., §17-3; Haw. Rev. Stat. § 17-4.	Y (until the special)
Idaho	35	9	Idaho Code § 59-904A.	Y
Illinois	59	37	Ill. Const. Art. 4, § 2(d); Ill. Rev. Stat. ch. 10, § 5/25-6.	Y (includes provision for independents)
Indiana	50	18	Ind. Code § 3-13-5-0.1; Ind. Code § 3-13-5-1.	Y (unaffiliated legislators are replaced b special election)
Iowa	50	6	Iowa Code § 69.14.	N
Kansas	40	16	Kan. Stat. § 25-3902; Kan. Stat. § 25-3903; Kan. Stat. § 25-312.	N (statute has some confusing language about calling party leaders for input)
Kentucky	38	16	Ky. Rev. Stat. 118.770; Ky. Rev. Stat. 118.730.	N
Louisiana	39	13	STATUTE: La. Rev. Stat. Ann. § 18:601.	N

Maine	35	19	Me. Rev. Stat. Ann. tit. 21-A, § 382; Me. Rev. Stat. Ann. tit. 21-A, §366; Me. Rev. Stat. Ann. tit. 21-A, § 381.	N
Maryland	47	33	Md. Const. Art. III, §13	Y
Massachusetts	40	20	Mass. Const. Amend. Art. 24; Mass. Gen. Laws Ann. ch. 54, § 141; Mass. Gen. Laws Ann. ch. 50, § 6A.	N
Michigan	38	9	Mich. Const. Art. 5, § 13; Mich. Election L. §168.634 and 168.178	N
Minnesota	67	8	Minn. Const. Art. 4, § 4 and Minn. Stat. § 204D.19.	N
Mississippi	52	20	Miss. Code Ann. § 23-15-851.	N
Missouri	34	23	Mo. Const. Art. III, § 14; Mo. Rev. Stat. tit. III Ch. 21 § 110	N

Montana	50	26	Mont. Const. Art. 5, § 7 and Mont. Code Ann. § 5-2-402.	Y
Nebraska	49	6	Neb. Rev. Stat. §32-566	N
Nevada	21	12	Nev. Const. Art. 4, § 12.	Y
New Hampshire	24	49	N.H. Const. Part II, Art. 16; N.H. Const. Part II, Art. 34; N.H. Rev. Stat. Ann. § 661:8.	N
New Jersey	40	12	N.J. Const., Art. IV, § IV(1).	Y
New Mexico	42	20	N.M. Const. Art. 4, § 4; NM Stat § 2-8D-4 (2021).	N

New York	63	19	N.Y. Pub. Officers L. § 42.	N
North Carolina	50	15	N.C. Const. Art. 2, § 10; N.C. Gen. Stat. § 163-11.	N
North Dakota	47	11	N.D. Cent. Code § 16.1-13-10.	Y (unless there is a special election)
Ohio	33	21	Ohio Const. Art. 2, § 11.	Y
Oklahoma	48	7	Okla. Stat. Ann. tit. 26, § 12-106	N
Oregon	30	23	Or. Rev. Stat. § 171.051.	Y
Pennsylvania	50	29	Pa. Cons. Art. II, § 2; 25 Pa. Stat. § 2778.	N
Rhode Island	38	4	R.I. Gen. Laws § 17-3-6.	N

South Carolina	46	13	S.C. Const. Art. III, § 25; S.C. Code Ann. § 7-13-190.	N
South Dakota	35	9	S.D. Const. Art. 3, § 10.	N
Tennessee	33	14	Tenn. Const. Art. 2, § 15; Tenn. Code Ann. § 2-14-203.	N
Texas	31	16	Tex. Elec. Code § 203.001 et. seq.; Tex. Elec. Code § 2.055; Tex. Elec. Code § 3.003.	N
Utah	29	17	Utah Const. Art. 6, § 13; Utah Code § 20A-1-503.	Y
Vermont	30	11	Vt. Const. Chap. 2, Art. 45; Vt. Stat. Ann. tit. 2, § 4; Vt. Stat. Ann. tit. 2, § 9.	N

Virginia	40	21	Va. Code § 24.2-216; Va. Code § 24.2-681; Va. Code § 24.2-682.	N
Washington	49	16	Wash. Const. Art. 2, § 15.	N
West Virginia	34	21	W.Va. Const. Art. 4, § 7; W.Va. Code Ann. § 3-10-5.	N
Wisconsin	33	14	Wis. Const. Art. IV, § 14; Wis. Code § 8.50; Wis. Code § 17.285; Wis. Code § 17.19.	N
Wyoming	31	4	Wyo. Const. Art. 3, § 51; Wyo. Stat., § 22-18-111(a)(iii).	N
<b>CITATION</b>	ources/ ors-and	Ballotpedia	<a href="https://www.ncsl.org/elections-and-campaigns/filling-legislative-vacancies">https://www.ncsl.org/elections-and-campaigns/filling-legislative-vacancies</a>	

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