

ELECTION 2024 SNAPSHOT



OCTOBER 21, 2024

POLITICAL OVERTIME ELECTION NIGHT TURNS TO DAYS

It is quite possible that unless the margins are larger than anticipated, we will not know the outcome of the presidential election or certainly the US House majority on election night, meaning an undetermined number of days will be required to finally arrive at a definitive winner, or sets of winners in a US House election cycle that promises to deliver multiple tight finishes.

Close elections will bring much scrutiny, and outcomes of several key races in such a situation may not occur until shortly before the state election certification deadline, which in some instances means the middle of December.

There is a strong likelihood that we will see US Senate results on election night. With West Virginia sure to flip from Democrat to Republican and the Montana race today leaning decidedly Republican could mean that a new GOP majority would be announced on election night.

Should, however, an unexpected upset of a Republican member, i.e., Sens. Rick Scott (FL), Deb Fischer (NE), or Ted Cruz (TX), occur, then political overtime is possible, and an extended counting period would come into play if the affected races' outcomes will determine majority control.

The presidential election is already coming down to seven key swing states, and the domain in this category with the longest certification period is Georgia with a 2024 certification deadline of December 27th. The battleground state with the shortest certification period is Nevada, November 19th. The unofficial Arizona deadline is December 2nd; Michigan is November 25th; North Carolina will be November 26th; and Pennsylvania and Wisconsin are both unofficially scheduled to certify their election results by November 28th.

Therefore, the outcome of the presidential election could take a week to sort out and if only a few votes in competitive districts is separating the candidates, then it could be close to a month after Election Day until we determine control of the House. Thus, 2024 could be reminiscent of the 2000 election in Florida which consumed 36 days to finally determine that George W. Bush had won the state and thereby the election.

The most likely political overtime scenario, however, involves the House majority. Currently, Republicans hold a five-seat edge, but this election could conceivably deliver an even smaller controlling margin to either party. If so, then the races that are forced into political overtime, and in House races there are usually several, will have a direct effect upon which party controls the chamber.

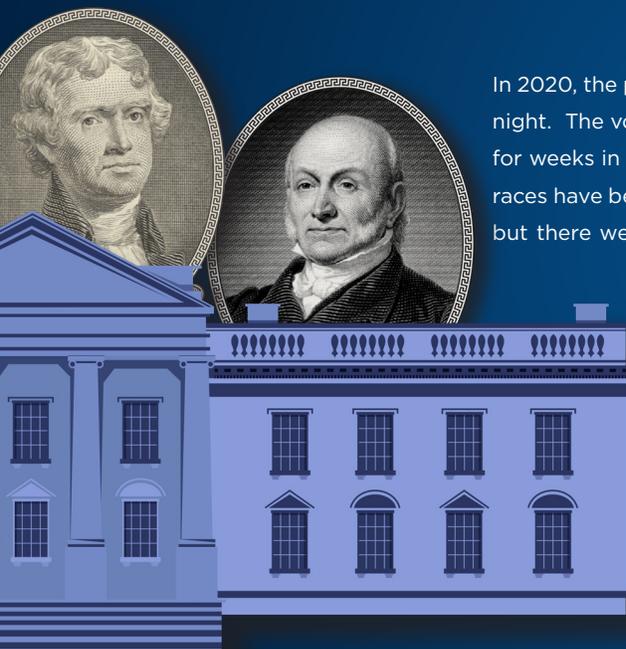
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In the case of the House, mid-December could well be the deciding timeline. California and New York, where both states have several competitive races, also have the longest certification periods. In this election year, New York and California election certification deadlines are December 12th and 13th, respectively.

Other states where we could see House political overtime are Maine and Alaska which have certification deadlines of November 25th and 26th, while a number of states that feature competitive House races will certify on December 2nd: Arizona, Colorado, Iowa, Montana, Nebraska, and Virginia. Even later are Connecticut and Washington (both on December 5th), and Oregon on December 12th.

While the political world will be in great anticipation of Election Day November 5th, particularly for determining the House majority, that date may be only the start of what promises to be a laborious and contentious post-election period. At this writing, it appears almost certain that political overtime will be necessary to determine which party will ultimately control a small House majority.



HISTORIC POLITICAL OVERTIME

In 2020, the presidential election results and majority control of the US House were unknown on election night. The volume of mail-in and absentee ballots, driven by the COVID-19 pandemic, resulted in delays for weeks in key House races in California, New York, and Iowa. 2020 was not the first time presidential races have been too close to call on election night... the 2000 Florida recount battle was the most recent but there were also three other times when the nation had to wait. In 1876, neither Democrat Samuel Tilden nor Republican Rutherford B. Hayes won an Electoral College majority. Congress created an electoral commission to determine the winner; the committee awarded contested electoral votes to Hayes, allowing him to ascend to the presidency. In 1824, after Andrew Jackson won the popular vote but failed to receive a majority of the Electoral College, John Quincy Adams was then elected President by the House of Representatives. In 1800, the House also had to elect a president after the ticket of Thomas Jefferson and Aaron Burr defeated John Adams but were tied with 73 electoral votes. After 36 ballots, Jefferson won. The intrigue resulted in the 12th Amendment, requiring electors to cast two votes, one for president and one for vice president rather than awarding the vice presidency to the second-place candidate.



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As a founding partner, Executive Chairman and Chief Executive Officer of Husch Blackwell Strategies, Andy has helped build a trusted national brand for federal and state lobbying with revenues and a client base to match. Andy's political success has earned him a national reputation as a trusted strategist and advisor whose extensive network of personal relationships is built on his lifelong immersion in politics and public policy. He has served as an advisor to two Presidential campaigns, managed multiple winning statewide campaigns, as well as several state House and Senate campaigns. Andy also maintains an active ownership role with the polling firm American Viewpoint.

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