

Mandatory Roll Call Votes

Legislators take many votes on the floor, and there are a variety of ways in which legislators can cast those votes—for example, by voice, division or roll call. For many parliamentary situations, there is discretion on which method of voting can be used.

Because of the significance of some parliamentary steps, however, no option for the method of casting votes is allowed; a roll call vote is mandated. Tables 08-5.101 and 08-5.102 illustrate the specific stages at which mandatory roll call votes occur.

When a roll vote is not required, legislators may have the ability to request that a roll call vote be taken. In fact, noted parliamentarian Luther Cushing wrote, "It is provided in almost all the American constitutions, that the yeas and nays of the members of our legislative bodies, on any question pending before them, shall be taken and recorded in their journal, on the demand of a certain number of members present, or of a certain proportion of their number ..." The processes required to request a roll call vote are set forth in Table 08-5.103.

One of the most important votes that legislators take is on the final passage of a bill; this vote determines if the bill will continue in the process to become law or if it will die. As noted above, most legislative assemblies require a roll call vote on final passage of a bill. But what is the actual vote required for final passage? Table 08-5.104 shows the vote requirement for final passage of a "typical" bill, and Tables 08-5.105 through 08-5.107 set forth the vote requirements for final passage of appropriations or budget bills, revenue or tax bills, and emergency legislation.

Table 08-5.101 Stages in the Passage of a Bill at Which a Roll Call Vote Is Mandatory

State (1)	None	On first reading	On second reading	On third reading	On final passage of all measures	On final passage for selected measures only
Alabama				B	B	
Alaska					B	
Arizona				B	B	
Arkansas				B	H	S
California				B	B	
Colorado				H	H	
Connecticut					S	
Delaware					H	
Florida				S	B	
Georgia					S	H
Hawaii	B					
Idaho				B	B	
Illinois				B	B	
Indiana					H	
Iowa					B	
Kansas					B	
Kentucky					B	
Louisiana					B	
Maine						
Maryland				S		
Massachusetts	S					H
Michigan				S	S	
Minnesota				B	B	
Mississippi	S					H
Missouri				B	B	
Montana			B	B		
Nebraska					S	
Nevada						B
New Hampshire						
New Jersey				S	S	
New Mexico					B	
New York				S	S	
North Carolina			B	B		
North Dakota			B		B	

Table 08-5.101 Stages in the Passage of a Bill at Which a Roll Call Vote Is Mandatory, cont'd.

State (1)	None	On first reading	On second reading	On third reading	On final passage of all measures	On final passage for selected measures only
Ohio			H	B	B	
Oklahoma				B		B
Oregon				B	H	S
Pennsylvania					B	
Rhode Island	H					
South Carolina						
South Dakota					B	
Tennessee				B	B	
Texas				B	B	
Utah			S	B	B	
Vermont	B					
Virginia				H	S	H
Washington				B	B	
West Virginia				S	H	
Wisconsin						B
Wyoming		B		B	S	
Puerto Rico		S				S

Key:

S=Senate

H=House or Assembly

B=Both chambers

Note:

1. The following chambers did not return a survey: Colorado Senate, Connecticut House, Delaware Senate, Indiana Senate, Maine Senate and House, Maryland House, Michigan House, New Hampshire Senate, New Jersey General Assembly, New York Assembly, Rhode Island Senate, American Samoa Senate and House, District of Columbia Council, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.

Table 08-5.102 More Stages in the Passage of a Bill at Which a Roll Call Vote Is Mandatory

State (1)	On concurrence of a typical bill	On concurrence of a budget or tax bill	On repassage of a bill following concurrence	On the acceptance of a conference report	On repassage of a bill following acceptance of a conference report	Other
Alabama	H	H	B	H	B	
Alaska	B	B		B		
Arizona			B		B	
Arkansas	H	H	S			
California	B	B		B	B	
Colorado	H	H	H	H	H	
Connecticut						
Delaware	H	H				
Florida			B	H	B	
Georgia	S	S		S		
Hawaii						
Idaho						
Illinois	B	B		B		
Indiana	H	H		H		
Iowa						
Kansas	B	B		B		
Kentucky		H	B		B	
Louisiana	B	B		B		
Maine						
Maryland			S		S	
Massachusetts			H			
Michigan	S	S	S	S	S	
Minnesota			B		B	2
Mississippi	H	H		H		
Missouri	B	B	B	B	B	
Montana	B	B	B	B	B	
Nebraska						
Nevada						3
New Hampshire						4
New Jersey	S	S				
New Mexico	H	H		H		
New York	S	S	S			
North Carolina	H	B		H		
North Dakota			B		B	

Table 08-5.102 More Stages in the Passage of a Bill at Which a Roll Call Vote Is Mandatory, cont'd.

State (1)	On concurrence of a typical bill	On concurrence of a budget or tax bill	On repassage of a bill following concurrence	On the acceptance of a conference report	On repassage of a bill following acceptance of a conference report	Other
Ohio	B	H		B		
Oklahoma	B	B	B	S	B	
Oregon			B		B	
Pennsylvania	B	B		B		
Rhode Island						
South Carolina						5
South Dakota	B	B		B		
Tennessee	B	B	S	B	S	
Texas	B	B		B		
Utah	B	B	B	B	B	
Vermont						
Virginia	B	B		B		
Washington			B		B	
West Virginia	H	H	B		B	
Wisconsin				S	S	
Wyoming	B	S		B		
Puerto Rico						

Key:

- S=Senate
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Notes:

1. The following chambers did not return a survey: Colorado Senate, Connecticut House, Delaware Senate, Indiana Senate, Maine Senate and House, Maryland House, Michigan House, New Hampshire Senate, New Jersey General Assembly, New York Assembly, Rhode Island Senate, American Samoa Senate and House, District of Columbia Council, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Minnesota. In both chambers, a roll call vote is required on gubernatorial veto overrides.
3. New Hampshire. In the House, a roll call vote is required on gubernatorial veto overrides.
4. Nevada. In the Assembly, a roll call vote is mandatory for votes on vetoed bills.
5. South Carolina. In both chambers, a roll call vote is required for the adoption of a proposed amendment to the state constitution.

Table 08-5.103 Number of Members Required to Request a Roll Call Vote

State (1)	Senate	House
Alabama	One-tenth of the members present	One-tenth of the members present
Alaska	One	One
Arizona	Two	Two
Arkansas	Five	Five
California	Three	Three
Colorado		One
Connecticut		
Delaware		
Florida	Five	
Georgia	By constitution, one-fifth; by rule, five	One-fifth present
Hawaii	One	One-fifth present
Idaho		
Illinois	Two	Five
Indiana		Two or the speaker must order it
Iowa	One	Two
Kansas	Five	15
Kentucky	Two	Two
Louisiana		21
Maine		
Maryland	One	
Massachusetts	One-fifth of the members present or the entire minority party membership	One-tenth elected
Michigan	One-fifth present	
Minnesota	Committee of the whole, three; otherwise, one	15
Mississippi	One	10 percent
Missouri	Five	Five
Montana	Two	Two
Nebraska	One	Not applicable; unicameral
Nevada	Three	Three
New Hampshire		11
New Jersey		
New Mexico		
New York	Five	
North Carolina	One-fifth present	One-fifth present
North Dakota	One-sixth present	One-sixth present

Table 08-5.103 Number of Members Required to Request a Roll Call Vote, cont'd.

State (1)	Senate	House
Ohio	Two	Two and the presiding officer must order it
Oklahoma		
Oregon	Two	Two
Pennsylvania		Two
Rhode Island		Majority present
South Carolina	Five	10
South Dakota	One-sixth present	One-sixth present
Tennessee		Five
Texas	Three	One
Utah		
Vermont	One	Five
Virginia	One-fifth present	One-fifth present
Washington	One-sixth present	One-sixth present
West Virginia	(2)	One-tenth present
Wisconsin	(3)	(3)
Wyoming		Two
Puerto Rico		

Notes:

1. The following chambers did not return a survey: Colorado Senate, Connecticut House, Delaware Senate, Indiana Senate, Maine Senate and House, Maryland House, Michigan House, New Hampshire Senate, New Jersey General Assembly, New York Assembly, Rhode Island Senate, American Samoa Senate and House, District of Columbia Council, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. West Virginia. In the Senate, any member can request a roll call vote. If there is objection, one-tenth of the members present are required to sustain the request for a roll call vote.
3. Wisconsin. In the Senate, officially one-sixth of the members present are necessary; unofficially, one member can request a roll call. In the Assembly, any member can request a roll call vote with the support of 15 other members.

Table 08-5.104 Vote Requirement for Final Passage—"Typical" Bill

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Other
Alabama		B	
Alaska	B		
Arizona	B		
Arkansas	B		
California	B		
Colorado	H		
Connecticut	S		
Delaware	H		
Florida		B	
Georgia	B		
Hawaii	B		
Idaho		B	
Illinois	B		
Indiana	H		
Iowa	B		
Kansas	B		
Kentucky		H	2
Louisiana	B		
Maine			
Maryland	S		
Massachusetts		B	
Michigan	S		
Minnesota	B		
Mississippi		B	
Missouri	B		
Montana		B	
Nebraska	S		
Nevada	B		
New Hampshire		H	
New Jersey		S	
New Mexico		B	3
New York	S		
North Carolina		B	
North Dakota	B		

Table 08-5.104 Vote Requirement for Final Passage—"Typical" Bill, cont'd.

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Other
Ohio	B		
Oklahoma	B		
Oregon	B		
Pennsylvania	B		
Rhode Island		H	
South Carolina		B	
South Dakota	B		
Tennessee	B		
Texas		B	
Utah	B		
Vermont		B	
Virginia		B	4
Washington	B		
West Virginia		B	
Wisconsin		B	
Wyoming	B		
Puerto Rico		S	

Key:

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B=Both chambers

Notes:

1. The following chambers did not return a survey: Colorado Senate, Connecticut House, Delaware Senate, Indiana Senate, Maine Senate and House, Maryland House, Michigan House, New Hampshire Senate, New Jersey General Assembly, New York Assembly, Rhode Island Senate, American Samoa Senate and House, District of Columbia Council, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Kentucky. In the Senate, a vote of two-fifths of the members elected is required.
3. New Mexico. In the Senate, a quorum of 22 members must be present and voting.
4. Virginia. In the Senate, not less than 16 members must be present and voting. In the House, at least 40 members must be present and voting.

Table 08-5.105 Vote Requirement for Final Passage—Appropriation or Budget Bill

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Three-fifths of the members elected	Two-thirds of the members elected	Two-thirds of the members present and voting	Other
Alabama		H				
Alaska	B					
Arizona	B					
Arkansas				S		2
California				B		
Colorado	H					
Connecticut	S					
Delaware	H					
Florida		B				
Georgia	B					
Hawaii	B					
Idaho		B				
Illinois	B					3
Indiana	H					
Iowa	B					
Kansas	B					
Kentucky	B					
Louisiana	B					
Maine						
Maryland	S					
Massachusetts		B				
Michigan	S					
Minnesota	B					
Mississippi	S	H				
Missouri	B					
Montana						
Nebraska	S					4
Nevada	B					
New Hampshire		H				
New Jersey		S				
New Mexico		S		H		5
New York	S					
North Carolina		B				
North Dakota	B					

Table 08-5.105 Vote Requirement for Final Passage—Appropriation or Budget Bill, cont'd.

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Three-fifths of the members elected	Two-thirds of the members elected	Two-thirds of the members present and voting	Other
Ohio	H					
Oklahoma	B					
Oregon	H		S			
Pennsylvania	B					
Rhode Island					H	
South Carolina		B				
South Dakota	B					
Tennessee	B					
Texas		B				
Utah	B					
Vermont		B				
Virginia	B					
Washington	B					
West Virginia	H			S		
Wisconsin	B					6
Wyoming	B					
Puerto Rico		B				

Table 08-5.105 Vote Requirement for Final Passage—Appropriation or Budget Bill, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Notes:

1. The following chambers did not return a survey: Colorado Senate, Connecticut House, Delaware Senate, Indiana Senate, Maine Senate and House, Maryland House, Michigan House, New Hampshire Senate, New Jersey General Assembly, New York Assembly, Rhode Island Senate, American Samoa Senate and House, District of Columbia Council, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Arkansas. In the House, a three-fourths vote (75 members) generally is required.
3. Illinois. In both chambers, the vote requirement may be higher if the bill is enacted after May 31. Article IV, Section 10, of the Illinois Constitution states "A bill passed after May 31 shall not become effective prior to June 1 of the next calendar year unless the General Assembly by the vote of three-fifths of the members elected to each house provides for an earlier effective date."
4. Nebraska. In the Senate, in practice, appropriation bills typically require a two-thirds vote due to the timing of enactment and the beginning of the new fiscal year.
5. New Mexico. In the Senate, a quorum of 22 members must be present and voting.
6. Wisconsin. In the Senate, a quorum of three-fifths of the members elected also is needed.

Table 08-5.106 Vote Requirement for Final Passage—Revenue or Tax Bill

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Three-fifths of the members elected	Three-fifths of the members present and voting	Two-thirds of the members elected	Other
Alabama		H				
Alaska	B					
Arizona	B					
Arkansas					S	2
California					B	
Colorado	H					
Connecticut	S					
Delaware			H			
Florida			H		S	
Georgia	B					
Hawaii	B					
Idaho		B				
Illinois	B					3
Indiana	H					
Iowa	B					
Kansas	B					
Kentucky	B					
Louisiana					B	
Maine						
Maryland	S					
Massachusetts		B				
Michigan	S					
Minnesota	B					
Mississippi				B		
Missouri	B					
Montana						
Nebraska	S					
Nevada					B	
New Hampshire		H				
New Jersey						
New Mexico		S			H	4
New York	S					
North Carolina		B				
North Dakota	B					

Table 08-5.106 Vote Requirement for Final Passage—Revenue or Tax Bill, cont'd.

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Three-fifths of the members elected	Three-fifths of the members present and voting	Two-thirds of the members elected	Other
Ohio	H					
Oklahoma	S				H	
Oregon	H		S			
Pennsylvania	B					
Rhode Island		H				
South Carolina		B				
South Dakota					B	
Tennessee	B					
Texas		B				
Utah	B					
Vermont		B				
Virginia	B					
Washington					B	
West Virginia	H				S	
Wisconsin	B					5
Wyoming	B					
Puerto Rico		B				

Table 08-5.106 Vote Requirement for Final Passage—Revenue or Tax Bill, cont'd.**Key:**

S=Senate

H=House or Assembly

B=Both chambers

Notes:

1. The following chambers did not return a survey: Colorado Senate, Connecticut House, Delaware Senate, Indiana Senate, Maine Senate and House, Maryland House, Michigan House, New Hampshire Senate, New Jersey General Assembly, New York Assembly, Rhode Island Senate, American Samoa Senate and House, District of Columbia Council, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Arkansas. In the House, a three-fourths vote (75 members) generally is required.
3. Illinois. In both chambers, the vote requirement may be higher if the bill is enacted after May 31. Article IV, Section 10, of the Illinois Constitution states " A bill passed after May 31 shall not become effective prior to June 1 of the next calendar year unless the General Assembly by the vote of three-fifths of the members elected to each house provides for an earlier effective date."
4. New Mexico. In the Senate, a quorum of 22 members must be present and voting.
5. Wisconsin. In the Senate, a quorum of three-fifths of the members elected also is needed.

Table 08-5.107 Vote Requirement for Final Passage—Emergency Legislation

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Three-fifths of the members elected	Two-thirds of the members elected	Two-thirds of the members present and voting	Other
Alabama		H				
Alaska	B					
Arizona				B		
Arkansas	S					2
California				B		
Colorado	H					
Connecticut	S					
Delaware						3
Florida	B					
Georgia	S					
Hawaii	S				H	
Idaho		B				
Illinois	B					4
Indiana	H					
Iowa	H					
Kansas	B					
Kentucky	H					
Louisiana	B					
Maine						
Maryland			S			
Massachusetts		S				5
Michigan	S					
Minnesota	B					
Mississippi						
Missouri	H			S		
Montana						
Nebraska				S		
Nevada				S		6
New Hampshire		H				
New Jersey						7
New Mexico				H	S	
New York	S					
North Carolina		H				
North Dakota				B		

Table 08-5.107 Vote Requirement for Final Passage—Emergency Legislation, cont'd.

State (1)	Majority of the members elected to the body	Majority of the members present and voting	Three-fifths of the members elected	Two-thirds of the members elected	Two-thirds of the members present and voting	Other
Ohio				B		
Oklahoma				B		
Oregon	H					
Pennsylvania	S					
Rhode Island	H					
South Carolina	B					
South Dakota				B		
Tennessee	B					
Texas				B		
Utah				B		
Vermont		B				
Virginia						8
Washington	B					
West Virginia		S				
Wisconsin						
Wyoming	S					
Puerto Rico		B				

Table 08-5.107 Vote Requirement for Final Passage—Emergency Legislation, cont'd.

Key:

- S=Senate
- H=House or Assembly
- B=Both chambers

Notes:

1. The following chambers did not return a survey: Colorado Senate, Connecticut House, Delaware Senate, Indiana Senate, Maine Senate and House, Maryland House, Michigan House, New Hampshire Senate, New Jersey General Assembly, New York Assembly, Rhode Island Senate, American Samoa Senate and House, District of Columbia Council, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Arkansas. In the House, a two-thirds vote is required on the emergency clause.
3. Delaware. In the House, the required vote depends upon the subject.
4. Illinois. In both chambers, the vote requirement may be higher if the bill is enacted after May 31. Article IV, Section 10, of the Illinois Constitution states " A bill passed after May 31 shall not become effective prior to June 1 of the next calendar year unless the General Assembly by the vote of three-fifths of the members elected to each house provides for an earlier effective date."
5. Massachusetts. In the House, on the question of the adoption of the emergency preamble, a two-thirds vote is required. Final passage generally is by majority vote of the members present and voting.
6. Nevada. In the Assembly, a two-thirds vote is required to declare that a measure is an emergency under the constitution. Passage of the measure itself, however, requires the same vote as it usually would. A typical measure would require a majority vote of the elected members, but a two-thirds vote would be required if the emergency measure created, generated or increased any public revenue in any form.
7. New Jersey. In the Senate, a three-fourths vote is required.
8. Virginia. In both chambers, the vote requirement is four-fifths of the members voting.