

# State AG Election Update

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State attorneys general are the primary enforcers of consumer laws within their states and their activities and enforcement actions can have great impact on businesses and consumers. When the officeholder changes, often so do the priorities of the office (even for changes within a party). Therefore, staying informed about state AG election winners can be helpful for businesses as they determine their own priorities for 2025 and beyond.

## State AG Election Winners

With the majority of votes tallied, the projected state AG election winners include:

Pennsylvania is the only state AG race where the party flipped, with Republicans winning the office. In addition, as not all state AGs are elected by popular vote, two states and two territories may have AG changes that will be determined at a later time. In Maine, the AG is selected by a secret ballot of state legislators for a two-year term. The current attorney general is Aaron Frey, who is in his third term and has served since January 2019. It will be up to the legislature to determine whether Attorney General Frey will be elected for a fourth term or if another will be chosen to begin serving in January 2025. In New Hampshire, the AG is appointed by the governor and approved by the Executive Council. John Formella (R) was nominated by Governor Chris Sununu (R) and is the current attorney general, having served since April of 2021. Kelly Ayotte (R and former attorney general) won the open seat for governor and can ask General Formella to continue to serve or nominate a new attorney general. Finally, in American Samoa and Puerto Rico, the attorney general is appointed by the governor. As there were gubernatorial elections this cycle in both jurisdictions, it could impact whether American Samoa Attorney General Fainu'ulelei Falefatu Ala'ilima-Utu and Puerto Rico Attorney General Domingo Emanuelli Hernández continue in their roles.

## AG Alums Elected to Other Office

The [National Association of Attorneys General](#) (NAAG), a nonpartisan organization of attorneys general, has teasingly been referred to as the "National Association of Aspiring Governors." This election cycle gives credence to that tease as three current attorneys general have won gubernatorial elections, in addition to former New Hampshire Attorney General Kelly Ayotte, as mentioned above. These include Josh Stein of North Carolina, Bob Ferguson of Washington, and Patrick Morrissey of West Virginia. In addition, former Kansas Attorney General Derek Schmidt has won election to the U.S. Congress. And while this election was not a success for Vice President Kamala Harris, we would be remiss to not remind readers that prior to serving in her current role, she was the California Attorney General. All of this is to say that it is good for businesses to get to know the AGs -- due to their role in enforcing consumer protection laws *and* because they may move on to other political careers after serving as a state's top law enforcement official.