

# SENATE BILL REPORT

## SB 5978

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As of February 18, 2015

**Title:** An act relating to the presidential primary.

**Brief Description:** Modifying presidential primary provisions.

**Sponsors:** Senators Roach, Liias and Fain; by request of Secretary of State.

**Brief History:**

**Committee Activity:** Government Operations & Security: 2/19/15.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Staff:** Samuel Brown (786-7470)

**Background:** Presidential Preference Primary Dates. Following the 1988 presidential election, an issue with the process for selecting delegates to the national political party conventions at which presidential candidates are nominated prompted an initiative which was adopted by the Legislature establishing a presidential preference primary. Presidential preference primaries were held in 1992, 1996, 2000, and 2008. The 2004 and 2012 presidential preference primaries were cancelled.

Unless the date is changed by statutory process, the presidential preference primary is held on the fourth Tuesday in May. The Secretary of State may propose an alternative date for the presidential preference primary by August 1 of the year before the election is held. The state committee of a major political party may propose an alternative date for the presidential preference primary by August 15 of the year before the election is held.

If an alternative date is proposed, a committee composed of the chair and vice chair of each major political party, the Secretary of State, the majority and minority leaders of the Senate, and the Speaker and minority leader of the House is convened. If the committee approves an alternative date by a two-thirds majority by October 1 of the year before the election is held, the primary date is changed accordingly.

Ballots for Presidential Preference Primary. The name of a candidate may appear on the presidential preference primary ballot by direction of the Secretary of State, if the candidacy is generally recognized in the news media, or if members of that candidate's party present a petition for nomination of the candidate signed by at least 1000 registered voters of the same

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political party as the candidate. A petition to nominate a candidate to appear on the presidential preference primary ballot must be submitted at least 75 days before the presidential preference primary. The affidavit of a person stating that they are not a candidate and do not wish to appear on the presidential preference primary ballot must be submitted 67 days before the presidential preference primary. The Secretary of State must certify the names of candidates on the presidential primary ballot by the fourth Tuesday in April before the presidential primary.

The Secretary of State may adopt rules permitting major political parties to require that voters in the presidential preference primary declare an oath to the party.

**Summary of Bill:** Presidential Primary Dates. The presidential preference primary is renamed as the presidential primary and moved to the second Tuesday in March.

The Secretary of State may propose an alternative date for the presidential primary by June 1 of the year before the election is held. The state committee of a major political party may propose an alternative date for the presidential primary by June 15 of the year before the election is held. If an alternative date for the presidential primary is proposed, it must be approved by June 30 of the year before the election is held.

Ballots for Presidential Primary. A petition to nominate a candidate to appear on the presidential primary ballot must be submitted at least 104 days before the presidential primary. The affidavit of a person stating that they are not a candidate and do not wish to appear on the presidential primary ballot must be submitted 97 days before the presidential primary. The Secretary of State must certify the names of candidates on the presidential primary ballot at least 90 days before the presidential primary.

Voters may be required to affirm a party declaration to participate in the presidential primary only if, by October 1 in the year before the presidential primary, both major political parties provide documentation to the Secretary of State that the results of the presidential primary will be used to allocate delegates to the parties' national conventions.

**Appropriation:** None.

**Fiscal Note:** Requested on February 13, 2015.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.