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**State Government, Elections &  
Information Technology Committee**

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**SB 5333**

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

**Sponsors:** Senators Miloscia, Liias, Zeiger and Pearson; by request of Secretary of State.

**Brief Summary of Bill**

- Changes the date of the presidential primary to the second Tuesday in March, or a later date if the Secretary of State chooses to coordinate with a western state regional primary date.
- Changes the deadlines for proposing an alternative presidential primary date to July.
- Permits voters to declare no party affiliation in a presidential primary and requires the tabulation of such ballots separately from voters who have declared a party affiliation.

**Hearing Date:** 3/22/17

**Staff:** Sean Flynn (786-7124).

**Background:**

Presidential Primary Dates.

The presidential primary was established by Initiative in 1989 to replace the traditional caucus system of nominating presidential candidates for each major political party. The presidential primary must be held each year of a presidential election for voters to nominate a presidential candidate of each major political party.

The presidential primary must be held on the fourth Tuesday in May, unless the Secretary of State (Secretary) proposes an alternative date by August 1 of the year preceding the primary. A major political party also may propose an alternative date no later than September 1 of the year before the primary. A committee consisting of representatives of each major political party, the

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Secretary, and legislative leaders must meet no later than October 1 in the year before the primary to decide on any proposed alternative primary date.

Presidential Primary Ballots.

The Secretary conducts a presidential primary substantially the same as a state primary, unless otherwise necessary to accommodate the rules to a major political party. The Secretary has discretion to determine which major political party candidates' names will appear on the presidential primary ballot. A major political party also may petition to have a candidate's name included on the ballot.

A candidate may take his or her name off the ballot by filing an affidavit with the Secretary, at least 67 days before the primary, stating that he or she will not be a candidate for president. The Secretary must certify the names of all candidates that will appear on the ballot to the county auditors by the fourth Tuesday in April.

A major political party may choose to base the allocation of delegates from the state to the national nominating convention in whole or in part on the presidential primary results, the caucus system, or other method of selection. A party may request the Secretary to prepare ballots that include a specific party declaration to be used by voters of that party. The votes of persons who make such declarations must be tabulated separately from other votes cast in the primary.

**Summary of Bill:**

Presidential Primary Dates.

The date of the presidential primary is moved to second Tuesday in March. The Secretary may propose any alternative date by July 1 of the preceding year, and a major political party may propose any alternative date by July 15 of the preceding year. The committee convened to determine any proposed alternative date must meet and decide on the proposal by July 31 of the preceding year. The Secretary is authorized to change the presidential primary to a later date in order to coordinate with other western states on a regional primary.

Presidential Primary Ballots.

A presidential candidate may file an affidavit to request removing his or her name from the primary ballot. The Secretary also may remove the name of a candidate from the primary ballot if that person has died or has withdrawn or suspended his or her campaign. The Secretary must certify the names of all presidential primary candidates at least 60 days before the primary.

The presidential primary ballot must allow for voters to declare they do not affiliate with a party. An undeclared party affiliated ballot must be tabulated and reported separately from ballots where the voter has declared a party affiliation.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.