

Top Two Candidates Open Primary Act and Voter-Nominated Offices

In 2010 California voters approved Proposition 14, which created the Top Two Candidates Open Primary Act. This act created a primary in which voters rather than parties nominate candidates to run in the general election.

Except for the office of the U.S. President, county central committee offices, and the State Superintendent of Public Instruction, offices that used to be known as “partisan offices” (e.g., state constitutional offices, U.S. Congress, and state legislative offices) are now known as “voter-nominated” offices.

In this primary system, candidates list their party preferences on the ballot. Voters will receive a ballot with *all the candidates* for the voter-nominated races, regardless of party preference and voters can vote for any candidate. The top two vote-getters – not the top vote-getter from each qualified party and anyone using the independent nomination process – will move on to the General Election.

Beginning January 1, 2001, California adopted the “modified” closed primary system. The “modified” closed primary system permits unaffiliated (no party preference –formerly known as “decline to state”) voters to participate in a primary election if authorized by an individual party’s rules and duly noticed to the Secretary of State. Political parties have until 135 days prior to an election to notify the Secretary of State whether they will allow voters who have declined to provide a political party preference to vote the ballot of that individual party. Even though the Top Two Candidates Open Primary Act has replaced this primary system for most offices, the “modified” closed primary system is still in effect for the Office of the President of the United States.

In Placer County, elected officials for county and judicial offices are elected during a primary election. Because these are nonpartisan offices, the party preference of the candidates and the voters is not relevant to the races. All registered voters living in the district are eligible to vote for the office. If none of the candidates receives a simple majority, the two candidates with the highest number of votes will run off in the general election. Similarly, state propositions and local measures may appear on primary election ballots and all registered voters living in the applicable district may vote in those contests regardless of party preference.

Voting in the Upcoming June 5, 2012, Presidential Primary Election

If you are a voter who has declined to provide a political party preference, known as a “No Party Preference” voter (formerly known as a “decline to state” voter), you may be able to vote for a Presidential candidate of a specific party in the upcoming June 5, 2012, Presidential Primary Election. Each political party has the option of allowing people who register to vote without disclosing a political party preference to vote in their primary election. Political party information will be available to voters on the Secretary of State’s website www.sos.ca.gov on the Placer County Office of Elections website at www.placerelections.com and in the Sample Ballot mailed out to each Placer County voter.

If you wish to vote in the primary election of a political party that allows voters who have not stated a political party preference to vote in their primary, simply ask the Office of Elections or a poll worker at your polling place on Election Day for a ballot from that political party. You may not request more than one party’s ballot.

If you do not request such a ballot, you will be given a nonpartisan ballot, containing only the names of candidates for voter-nominated office, local office and measures if any, to be voted upon at the primary presidential election.