

SENATE BILL REPORT

SB 6452

As of January 22, 2004

Title: An act relating to a private choice open primary election.

Brief Description: Setting primary election procedures.

Sponsors: Senators Swecker, Spanel and Kohl-Welles.

Brief History:

Committee Activity: Government Operations & Elections: 1/21/04.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Mac Nicholson (786-7445)

Background: The method used in Washington to nominate candidates for the general election ballot is called the "blanket primary." This primary allows the votes of voters who are not members of a major political party to be counted in determining what candidate will run in the general election as the major political party's candidate or standard bearer. This feature of the Washington blanket primary was held unconstitutional by the federal Court of Appeals because in the court's opinion, the major political parties' First Amendment right of association was violated. The Secretary of State has petitioned the United States Supreme Court to review the lower federal court's decision. The Supreme Court has said it will issue a decision on this petition on February 23, 2004.

Summary of Bill: A private choice open primary is created. In all partisan primary elections, separate ballots must be prepared for each major political party. Each voter receives a set of all ballots; however, the voter shall cast votes on only one of the party ballots.

A minor political party that has filed a petition signed by a sufficient number of registered voters may request nomination by a primary election. Nonpartisan offices and ballot issues to be voted on at a primary must either be prepared as a separate ballot or can appear on the party ballots, provided the nonpartisan offices and ballot issues are clearly identified as such.

A primary ballot for a political party need not be prepared if the party does not have candidates for more than half of the offices to appear on the ballot and no more than one candidate files for any of the offices on the ballot.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on July 1, 2004.