

TOP TWO CANDIDATES OPEN PRIMARY ACT

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ELECTIONS IN CALIFORNIA-The Top Two Candidates Open Primary Act, which took effect January 1, 2011, requires that all candidates for a voter-nominated office be listed on the same ballot. Previously known as partisan offices, voter-nominated offices are state legislative office, U.S. congressional offices, and state constitutional offices. Only the two candidates receiving the most votes—regardless of party preference—move on to the general election regardless of vote totals. Write-in candidates for voter-nominated offices can only run in the primary election. However, a write-in candidate can only move on to the general election if the candidate is one of the top two vote-getters in the primary election. Additionally, there is no independent nomination process for a general election. California’s new open primary system does not apply to candidates running for U.S. President and county central committees. (Presidential and central committee races are not on the ballot for the 2014 election cycle).

PARTY-NOMINATED/PARTISAN OFFICES-Political parties may formally nominate candidates for party-nominated/partisan offices at the primary election. A nominated candidate will represent that party as its official candidate for the specific office at the general election and the ballot will reflect an official designation. The top vote-getter for each party at the primary election moves on to the general election. Parties also elect officers of county central committees at the primary election.

Normally, a voter can only vote in the primary election of the political party he or she has disclosed a preference for upon registering to vote. However, for the June 2014 Primary all voters voted the same ballot regardless of their political party preference because the Presidential and county central committee races were not on the ballot.

VOTER-NOMINATED OFFICES-Political parties are not entitled to formally nominate candidates for voter-nominated offices at the primary election. A candidate nominated for a voter-nominated office at the primary election is the nominee of the people and not the official nominee of any party at the general election. A candidate for nomination to a voter-nominated office shall have his or her party preference, or lack of party preference, stated on the ballot, but the party preference designation is selected solely by the candidate and is shown for the information of the voters only. It does not mean the candidate is nominated or endorsed by the party designated, or that there is an affiliation between the party and candidate, and no candidate nominated by the voters shall be deemed to be the officially nominated candidate of any political party. In the county sample ballot pamphlet, parties may list the candidates for voter-nominated offices who have received the party’s official endorsement.

Any voter may vote for any candidate for a voter-nominated office, if they meet the other qualifications required to vote for that office. The top two vote-getters at the primary election move on to the general election for the voter-nominated office even if both candidates have specified the same party preference designation. *No party is entitled to have a candidate with its party preference designation move on to the general election, unless the candidate is one of the two highest vote-getters at the primary election.*

NONPARTISAN OFFICES-Political parties are not entitled to nominate candidates for nonpartisan offices at the primary election, and a candidate at the primary election is not the official nominee of any party for the specific office at the general election. A candidate for nomination to a nonpartisan office may not designate his or her party preference, or lack of party preference, on the ballot. The top two vote-getters at the primary election move on to the general election for the nonpartisan office. Your ballot reflects the top two vote-getters for the November 4, 2014 General Election.