

“TOP-TWO OPEN PRIMARY”

Guide to Voting

San Luis Obispo County Clerk-Recorder

On June 8, 2010, California voters approved Proposition 14, which created the “Top-Two Open Primary Act”.

Prior to the “Top-Two Open Primary Act”, candidates running for partisan office appeared only on their own party ballot. The candidate with the most votes from each qualified political party and any candidates who qualified using the independent nomination process would be on the ballot in the General Election.

Now, under the “Top-Two Open Primary Act”, all candidates running, regardless of their party preference, will appear on a single combined ballot, and voters can vote for any candidate from any political party. The “Top-Two Open Primary Act” does not affect the election of President and County Central Committees, which are still party specific contests. In the Presidential election, some parties may allow voters who have not declared a party preference (decline to state voters) to vote in their party’s Presidential primary.

The “Top-Two Open Primary Act” allows only two candidates for voter-nominated offices to appear on the ballot at the General Election. These are the candidates who receive the highest and second-highest number of votes cast at the Primary Election.

The “Top-Two Open Primary Act” changes the way elections are conducted for the following State and Federal offices:

Governor	Controller	State Senator
Lt. Governor	Insurance Commissioner	State Assembly
Secretary of State	Board of Equalization	U.S. Senator
State Treasurer	U.S. Representatives	Attorney General

The “Top-Two Open Primary Act” does not affect the party nominated offices: President and Party Central Committee or County Council elections. Non-partisan offices such as Judges, County, Cities, Schools, Special District, and the Superintendent of Public Instruction would remain open to all voters.

WHAT DOES THE “TOP-TWO OPEN PRIMARY ACT” MEAN TO THE VOTERS?

There are now 3 types of candidate contests

1) Party Nominated- Formerly known as Partisan Contests

Party nominated offices are contests in which the nominee is selected by the political party. Only registered voters in that party can vote for that party’s candidate on the ballot with the exception of cross-over voters- see below.

Who can vote: Only voters registered with the same party preference as the candidate, except for any party that allows decline to state voters to cross-over and join their Presidential primary.

Applies to: U.S. President and County Central Committees or Councils.

Who advances to the General Election: The Presidential candidate selected at the party's convention. County Central Committee and Council contests are decided at the primary election.

2) Voter Nominated – Formerly known as Partisan Contests

Voter –nominated contests are contests in which the nominee is selected by the voters. In these contests, any voter can vote for any candidate, regardless of party. The candidates' party preference or lack thereof will be listed on the ballot ie. Party Preference: Green or Party Preference: None.

Who can vote: All voters, regardless of party preference can vote for any candidate. This replaces party ballots in primary elections with a single combined ballot listing all candidates.

Applies to: Governor, Lt. Governor, Secretary of State, Treasurer, Controller, insurance Commissioner, Board of Equalization, Attorney General, State Senator, State Assemblymember, U.S. Senator and U.S. Representative.

Who advances to the General Election: The two candidates with the highest and second highest number of votes.

3) Non-Partisan

Non-Partisan contests are contests in which political parties do not nominate candidates. Judicial, County, School, Special District and City offices are all non-partisan contests.

Who can vote: All voters, regardless of party preference.

Applies to: Superintendent of Public Instruction, Superior Court Judges, County, City, School and Special District offices.

Who advances to the General Election: In majority vote contests, candidates that receive a majority of the votes, win outright in the Primary election. If no candidate receives a majority of the votes, then the two candidates with the highest number of votes, are on the ballot in the General Election.

WHAT WILL THE BALLOTS LOOK LIKE FOR THE 2012 PRIMARY ELECTION?

Because of the Presidential primary contest, party ballots will be issued to those voters registered with a specific party and cross over voters if the party allows them to participate. The Presidential contest will be specific to that party's ballot, however all other contests and candidates will be the same for all ballots.

HOW DOES THIS AFFECT WRITE-IN CANDIDATES?

Primary Election: Write-in candidates can qualify for the primary election and voter's can cast their vote for that candidate by writing in the candidate's name. The write-in candidate will move on to the General Election only if they receive either the highest or second-highest number of votes.

General Election: Write-in candidates and votes are not allowed in voter-nominated contests. For all other contests, write-in candidates can qualify and receive votes.