



CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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Los Angeles County Registrar-Recorder/County Clerk
12400 Imperial Highway, Suite 7001, Norwalk, CA 90650
(562) 462-2716 – Fax (562) 929-4790
E-Mail: DLogan@rrcc.lacounty.gov
CACEO website: www.caceo58.org

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May 8, 2017

The Honorable Ricardo Lara
State Capitol Building, Room 5050
Sacramento, CA 95814

Dear Senator Lara:

The California Association of Clerks and Election Officials Elections Legislative Committee has reviewed **SB 568**, your proposed legislation, which would change the date of all Presidential Primary Elections from June to March or an earlier date if proclaimed by the Governor.

Although the Committee understands and appreciates that your intent is to increase California's role in the Presidential Primary process by allowing California's voters to play a more significant role in the selection of candidates, we would welcome the opportunity to further discuss several aspects of your proposed legislation. Specifically, as currently written, SB 568 may lead to the following:

- **Risk for increased voter confusion and disenfranchisement:** This bill would move the primary election to March or another date in Presidential election years only, while retaining the statewide primary election in June. As a result, the primary election date would change every other year and likely cause increased voter confusion as to the timing of the election. Counties already see voter confusion when voters call to say they have not received information for elections in June or November during odd election years. To change the date every other year would likely lead to increased confusion resulting in disenfranchised voters.
- **Risk for candidate confusion:** For those offices that appear on the ballot every two years (including United States Congressional, State Assembly, and County Supervisorial seats), the candidates would have a different candidate filing time – November/December for candidates on the March election ballot and February/March for candidates on the June election ballot. If the date was before March, candidate filing could occur as early as September if the election was called for a January date. Accordingly these different deadlines for each election cycle would likely lead to increased candidate confusion.
- **Campaign cycle variations:** Campaigns would face different cycles, leading to variation in the duration of campaigns. For example, a March ballot contest that results in a November run-off election, would last longer than one that appears on the June ballot post-election. For those offices that appear on the ballot every two years, campaigns would likely be forced to operate continuously.
- **Increased gap time between election and candidate assuming office:** For candidates that are elected outright in March, (meaning they receive 50% plus 1 of the vote and therefore do not need to appear on the November ballot for a run-off election), they will ultimately have to wait until early December or early January to assume office.
- **The date of the election:** The proposal allows for the Governor to proclaim the election on a date earlier than the 3rd Tuesday in March. As worded, it appears that the Governor can call this election for any date or any day of the week including a Saturday or Sunday. We would like to see some clarification added to this proposal to state that the election date falls on a Tuesday to keep consistent with all other established election dates as defined in Elections Code 1000.

- **Impact on SB 450 vote center pilot counties:** With the 2016 passage of SB 450 (Allen), vote centers are scheduled to open for up to 14 counties in June 2018. While we know that this is a statewide primary election year and does not qualify to move dates under your current proposal, we would like to see that an effective date of 2019 be added to the proposal to ensure that the June 2018 primary date stays intact. With the timing of the SB 450 requirements, these vote center pilot counties would not be able to have an earlier primary election.

We appreciate that you are looking at ways to make California have a more prominent electoral role in the Presidential primary process. We are looking forward to continuing the discussion in order to draft language that would meet the needs of the State, the elected officials, the candidates, and the voters. Please feel to contact me at tricia.webber@santacruzcounty.us or (831) 454-2409, or Jill LaVine, Sacramento County Registrar of Voters at lavinej@saccounty.net or (916) 875-6060.

Respectfully,



Tricia Webber

Co-Chair, CACEO Election Legislative Committee
California Association of Clerks and Election Officials

cc: Shaun Naidu, Consultant, Senate Appropriations Committee
Matt Osterli, Senate Republican Caucus
Nick Brokaw, Sacramento Advocates, Inc.
Silvio Ferrari, Sacramento Advocates, Inc.
Jill LaVine, Co-Chair, CACEO Election Legislative Committee