

## **“TOP TWO PRIMARY” WHAT DOES IT MEAN?**

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 top vote-getter from each qualified political party and any candidates who qualified using the independent nomination process would then move on to 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” would not affect the election of President (except parties that allow cross-over voters) and County Central Committees, which are still party specific contests.

The “Top-Two Open Primary Act” requires that only the two candidates for voter-nominated offices who receive the highest and second-highest number of votes cast at the primary shall appear on the ballot as candidates at the ensuing General Election. (EC 8141.5)

The “Top-Two Open Primary Act” would not affect the election of President (except parties that allow crossover voters) and Central Committees, which are party-nominated. Non-partisan offices such as Judges, schools, special districts, municipalities and the Superintendent of Public Instruction would remain open to all eligible voters.

There are 3 types of candidate contests:

- 1) Party-Nominated (Formerly known as Partisan). Party-Nominated offices are contests in which the nominee is selected by the political party. Only registered voters in that political party can vote for that party’s candidate on the ballot (except parties that allow cross-over voters). Offices of: U.S. President and County Central Committees.
- 2) Voter-Nominated. Voter-Nominated offices are contests in which the nominee is selected by the voter. In voter-nominated contests, any voter can vote for any candidate, regardless of party. It also allows candidates to choose whether they want to disclose their party preference on the ballot. Offices of: 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.
- 3) Non-Partisan. A Non-Partisan office is an office in which no political party nominates a candidate. Judicial, school, county and municipal offices are examples of non-partisan offices. Offices of: Superintendent of Public Instruction Superior Court Judges County Offices Municipal Offices, Schools Special Districts