

Primary Elections in California

The Top Two Candidates Open Primary Act 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 offices, U.S. congressional offices, and state constitutional offices.

In this new open primary system, this means you can vote for any candidate, regardless of what party preference you indicated on your voter registration form. Only the two candidates receiving the most votes—regardless of party preference—move on to the general election regardless of vote totals. If a candidate receives a majority of the vote (50 percent +1), a general election still must be held. Even if there are only two candidates in the open primary, a general election is still required.

Write-in candidates for voter-nominated offices can still 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, county central committee, or local offices.

For more information about the June 5 presidential primary, see page 5 of this guide. For more information about California's primary elections, including frequently asked questions and certified lists of candidates for voter-nominated offices in your area, visit www.sos.ca.gov/elections or call (800) 345-VOTE (8683).

California law requires that the following information be printed in this guide.

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.

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, a political party may allow a person who has declined to disclose a party preference to vote in that party's primary election.

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 booklet, 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.

Important Information About This Presidential Primary Election and Voters With No Political Party Preference

Party Preference

California law requires that the term “party preference” now be used in place of the term “party affiliation.” On the voter registration form, a voter may choose whether or not to indicate a preference for a political party. A voter with no party preference (NPP) is anyone who chose to not indicate a political party preference when he or she registered to vote. Voters who were previously known as decline-to-state voters (because they did not have a party affiliation) are now known as having no party preference.

Primary Elections

Many candidate contests on your June 5 ballot are governed by a new open primary law that took effect this year. For more information about the Top Two Candidates Open Primary Act, see page 4 of this guide.

The state’s open primary law does not apply to candidates running for U.S. President, county central committee, or local office. Qualified political parties in California may hold presidential primaries in one of two ways:

- Closed presidential primary, in which only voters indicating a preference for the party may vote for that party’s presidential nominee.
- Modified-closed primary, in which the party also allows voters who did not state a party preference to vote for that party’s presidential nominee.

If a qualified political party chooses to hold a modified-closed presidential primary, the party must notify the California Secretary of State no later than the 135th day before Election Day. The following political parties are allowing NPP voters to request and vote their party’s June 5 presidential primary ballot:

- American Independent Party
- Democratic Party

If you indicated a political party preference when you registered to vote, you may only vote for a presidential candidate in the presidential primary election of that party.

If you did not indicate a political party preference when you registered to vote, some of the political parties will allow you to vote for their presidential candidates anyway. NPP voters can request a ballot of any political party that has notified the Secretary of State that it will permit NPP voters to help nominate their presidential candidate. You may NOT request more than one party’s presidential ballot.

If you do not request a specific ballot, you will be given an NPP ballot containing only ballot measures and the names of candidates for open primary offices.

If You Vote by Mail

Each county elections office is required to mail all NPP voters who are registered as permanent vote-by-mail voters a notice and application regarding voting in the primary election. The notice shall inform the voter that he or she may request a vote-by-mail ballot for a particular political party for the presidential primary if that party authorized NPP voters to vote in their primary. If you are a vote-by-mail voter and you would like to participate in one of the participating parties’ presidential primary, you must request the party’s ballot prior to being issued a vote-by-mail ballot. If you have already been issued an NPP ballot but would like to request a ballot from one of the participating parties, you must contact your county elections office.

About Ballot Arguments

The Secretary of State's office does not write ballot arguments. Arguments in favor of and against ballot measures are provided by the proponents and opponents of the ballot measures. If multiple arguments are submitted for or against a measure, the law requires that first priority be given to arguments written by legislators in the case of legislative measures, and arguments written by the proponents of an initiative or referendum in the case of an initiative or referendum measure. Subsequent priority for all measures goes to bona fide associations of citizens and then to individual voters. The submitted argument language cannot be verified for accuracy or changed in any way unless a court orders that the language be changed.

Voting by Mail in California

Any registered voter can vote by mail in California. To vote by mail, you must apply to your county elections office for a vote-by-mail ballot at least seven days before Election Day. You can use the form on the county sample ballot booklet you receive in the mail a few weeks before Election Day to apply for a vote-by-mail ballot, or send your request in writing to your county elections office. Your request must include your printed name and the address where you live, the address where you want to receive your vote-by-mail ballot, your signature, and the name and date of the election in which you want to vote by mail.

Once your application is processed by your county elections official, the proper ballot will be sent to you. After you mark your choices on your vote-by-mail ballot, put it in the official envelope provided by your county elections office and seal it. Place the proper postage on the envelope and sign the outside of the envelope where directed.

You may return your voted vote-by-mail ballot by:

- Mailing it to your county elections office;
- Returning it in person to any polling place or elections office within your county on Election Day; or
- Authorizing a legally allowable third party (spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household as you) to return the ballot on your behalf to any polling place or elections office within your county on Election Day.

In any case, your vote-by-mail ballot must be received by the time polls close at 8:00 p.m. on Election Day, so be sure to mail your ballot a few days before Election Day. Late-arriving vote-by-mail ballots cannot be counted.

If Your Name Is Not on the List at Your Polling Place

If your name does not appear on the voter list at your polling place, you have the right to cast a provisional ballot at any polling place in the county in which you are registered to vote.

Provisional ballots are ballots cast by voters who:

- Believe they are registered to vote even though their names do not appear on the official voter registration list;
- Believe the official voter registration list incorrectly lists their political party preference; or
- Vote by mail but cannot locate their vote-by-mail ballot and instead want to vote at a polling place.

Your provisional ballot will be counted after county elections officials have confirmed that you are registered to vote and did not vote elsewhere in that same election. The poll worker can give you information about how to check that your provisional ballot was counted and, if it was not counted, the reason why.

U.S. Presidential Candidates

California Elections Code section 9084 requires that presidential candidate information be made available on the California Secretary of State's website. Visit www.voterguide.sos.ca.gov for more details.

District-Level and U.S. Senate Candidate Statements

This Voter Information Guide includes information about statewide ballot measures and U.S. Senate candidates. Each State Senate, Assembly, and U.S. House of Representatives office relates to voters in only one or a few counties, so some candidate statements for those offices may be available in your county sample ballot booklet.

California law includes voluntary spending limits for candidates running for state legislative office (not federal office such as U.S. House of Representatives and U.S. Senate). Legislative candidates who choose to keep their campaign expenses under specified dollar amounts may purchase space in county sample ballot booklets for a candidate statement of up to 250 words. State Senate candidates who have volunteered to limit their campaign spending may spend no more than \$780,000 in a primary election. Assembly candidates who have volunteered to limit their campaign spending may spend no more than \$520,000 in a primary election.

To view a list of legislative candidates who have accepted California's voluntary campaign spending limits, go to www.sos.ca.gov/elections/elections_cand_stat.htm.

All U.S. House of Representatives candidates have the option to purchase space for a candidate statement in county sample ballot booklets. (Some U.S. House of Representatives candidates choose not to purchase space for a candidate statement.)

All U.S. Senate candidates have the option to purchase space for a candidate statement in this voter guide. (Some U.S. Senate candidates choose not to purchase space for a candidate statement.) Candidate statements are on pages 21–23.

For the final certified list of candidates, which is due after this guide is published, go to www.sos.ca.gov/elections/elections_cand.htm.

Large Print and Audio Voter Guides

The Secretary of State provides the Official Voter Information Guide in large-print and audio formats for people who are visually impaired in English, Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese.

To order the large-print or audio-cassette version of the Official Voter Information Guide, go to www.sos.ca.gov/elections/elections_vig_altformats.htm or call the Secretary of State's toll-free Voter Hotline at (800) 345-VOTE (8683).

For a downloadable audio MP3 version of the Official Voter Information Guide, go to www.voterguide.sos.ca.gov/audio.

Voter Registration

You are responsible for updating your voter registration information. You should update your voter registration if you change your home address, change your mailing address, change your name, or want to change or select a political party preference. If you moved to your new address after May 21, 2012, you may vote at your former polling place.

Registering to vote is simple and free. Registration forms are available online and at most post offices, libraries, city and county government offices, and the California Secretary of State's office. Registering to vote is easier than ever with the online form at www.sos.ca.gov/elections.

To register to vote you must be a U.S. citizen; a California resident; at least 18 years of age on Election Day; not in prison or in county jail (serving a state prison sentence or serving a term of more than one year in jail for a defined "low-level" felony), or on parole, post-release community supervision, or post-sentencing probation for a felony conviction; and not judged by a court to be mentally incompetent.

State and Federal Voter Identification Requirements

In most cases, California voters are not required to show identification before casting ballots. If you are voting for the first time after registering by mail and did not provide your driver license number, California identification number, or the last four digits of your social security number on the registration card, you may be asked to show a form of identification when you go to the polls. Make sure you bring identification with you to the polls or include a copy of it with your vote-by-mail ballot. Following is a partial list of the more than 30 acceptable forms of identification. You can also visit the Secretary of State's website and look for "Help America Vote Act (HAVA) Identification Standards" at www.sos.ca.gov/elections/elections_regs.htm.

- Driver license or state-issued ID card
- Passport
- Employee ID card
- Credit or debit card
- Military ID
- Student ID
- Health club ID
- Insurance plan ID card