

Senator Aument's Senator for a Day Open Primary Articles:



State Primary Election Types

7/21/2016

The laws governing state primaries are complex and nuanced to say the least, and state primary laws have been a cause of confusion among voters and election administrators alike. The manner in which party primary elections are conducted varies widely from state to state. Primaries can be categorized as either closed, partially closed, partially open, open to unaffiliated voters, open, or top-two.

For more information see NCSL's [State Primary Types Table](#).

Closed Primaries

In general, a voter seeking to vote in a closed primary must first be a registered party member. Typically, the voter affiliates with a party on his or her voter registration application. This system deters “cross-over” voting by members of other parties. Independent or unaffiliated voters, by definition, are excluded from participating in the party nomination contests. This system generally contributes to a strong party organization.

CLOSED PRIMARY STATES		
Delaware	Nevada	Pennsylvania
Florida	New Mexico	
Kentucky	New York	
Maryland	Oregon	

Partially Closed

In this system, state law permits political parties to choose whether to allow unaffiliated voters or voters not registered with the party to participate in their nominating contests before each election cycle. In this type of system, parties may let in unaffiliated voters, while still excluding members of opposing parties. This system gives the parties more flexibility from year-to-year about which voters to include. At the same time, it can create uncertainty about whether or not certain voters can participate in party primaries in a given year.

PARTIALLY CLOSED PRIMARY STATES	
Alaska	Oklahoma
Connecticut	South Dakota
Idaho	Utah
North Carolina	

Partially Open

This system permits voters to cross party lines, but they must either publicly declare their ballot choice or their ballot selection may be regarded as a form of registration with the corresponding party. Illinois and Ohio have this system. Iowa asks voters to choose a party on the state voter registration form, yet it allows a primary voter to publicly change party affiliation for purposes of voting on primary Election Day. Some state parties keep track of who votes in their primaries as a means to identify their backers.

PARTIALLY OPEN PRIMARY STATES	
Illinois	Tennessee
Indiana	Wyoming
Iowa	
Ohio	

Open to Unaffiliated Voters

A number of states allow only unaffiliated voters to participate in any party primary they choose, but do not allow voters who are registered with one party to vote in another party's primary. This system differs from a true open primary because a Democrat cannot cross over and vote in a Republican party primary, or vice versa. Some of these states, such as Colorado and New Hampshire, require that unaffiliated voters declare affiliation with a party at the polls in order to vote in that party's primary.

OPEN TO UNAFFILIATED VOTERS PRIMARY STATES		
Arizona	Massachusetts	West Virginia
Colorado	New Hampshire	
Kansas	New Jersey	
Maine	Rhode Island	

Open Primaries

In general, but not always, states that do not ask voters to choose parties on the voter registration form are "open primary" states. In an open primary, voters may choose privately in which primary to vote. In other words, voters may choose which party's ballot to vote, but this decision is private and does not register the voter with that party. This permits a voter to cast a vote across party lines for the primary election. Critics argue that the open primary dilutes the parties' ability to nominate. Supporters say this system gives voters maximal flexibility—allowing them to cross party lines—and maintains their privacy.

OPEN PRIMARY STATES			
Alabama	Michigan	Montana	Vermont
Arkansas	Minnesota	North Dakota	Virginia
Georgia	Mississippi	South Carolina	Wisconsin
Hawaii	Missouri	Texas	

Top-Two Primaries

California, Louisiana, Nebraska (for state elections) and Washington currently use a “top two” primary format. The “top two” format uses a common ballot, listing all candidates on the same ballot. In California and Louisiana, each candidate lists his or her party affiliation, whereas in Washington, each candidate is authorized to list a party “preference.” The top two vote getters in each race, regardless of party, advance to the general election. Advocates of the "top-two" format argue that it increases the likelihood of moderate candidates advancing to the general election ballot. Opponents maintain that it reduces voter choice by making it possible that two candidates of the same party face off in the general election. They also contend that it is tilted against minor parties who will face slim odds of earning one of only two spots on the general election ballot.

TOP-TWO PRIMARY STATES	
California	Nebraska (for nonpartisan legislative races only)
Louisiana	Washington

Presidential Primary Rules

States may have radically different systems for how they conduct their state and presidential primaries: some states hold their state and presidential primaries on the same day, some hold them weeks or even months apart, and some hold the two primaries on the same day but have different rules for each primary. See NCSL's [State Primary Types Table](#) for which state primary rules also apply to presidential elections.

<http://www.ncsl.org/research/elections-and-campaigns/primary-types.aspx>



Should Pennsylvania open the door to independents or stick with closed primary?

By [Dennis Owens](#) Published: April 25, 2016, 6:11 pm Updated: April 26, 2016, 10:03 am

HARRISBURG, Pa. (WHTM) – Candidates for statewide and local offices worked the streets of Midtown Harrisburg on Monday afternoon, looking for votes on the eve of the election.

There were handshakes and smiles for passersby and lots of hugs.

But polling places across the commonwealth will not be so welcoming Tuesday. The doors will be open but the primary is closed, meaning only registered Democrats can vote for Democrats, Republicans can only vote for Republicans.

Everybody else must sit this one out, even though several seats will be decided on primary day.

The reality is, in Harrisburg, Democrats will choose their state representative Tuesday. If you're a Republican or Independent or other third party living in the city, you don't get to decide the person who will represent you at the Capitol.

The reality is, across the river in Cumberland County, Republicans will select their state representative and their next state senator. If you're a Democrat, independent or some other party, you don't get to decide the folks representing you at the Capitol.

But you do get to pay for it. Primary elections are funded by all taxpayers.

One solution is called an open primary where every candidate is open to every voter. Representative Patty Kim (D-Dauphin) is open to the idea.

"Nowadays, I see a trend of people being so disgusted with the parties, whether Republican or Democrat, and they're going independent. So, let's give them a chance to vote in the primary. Give them an option. I think it would be best for the whole state because there's so much frustration with the parties."

Matt Brouillette, of the conservative Commonwealth Foundation, is not so sure.

"There's lots of mischief that happens in open primaries," he said.

Brouillette says closed primaries aren't the problem. Making taxpayers open their wallets to fund them is.

"Parties are private organizations and they should be able to pick their candidates for particular office," Brouillette said, but quickly added, "At the same time, it's probably not a taxpayer-funded function, either."

A bigger issue, says former lawmaker Josh Shapiro, is gerrymandered districts that in too many places make the primary election the real election. Shapiro said redistricting reform is needed.

"So that races in November are as competitive as they are in the primary," Shapiro said. "I think if you have more competitive elections in the fall, ultimately you'll have better policy-making because you're gonna force members to come to the middle and get stuff done."

Any registered voter can vote on statewide referendums in a primary. One ballot question could abolish the Philadelphia traffic courts. Another on judicial retirement age may appear on some ballots, but won't count because it was postponed at the last minute until November.

<http://abc27.com/2016/04/25/should-pennsylvania-open-the-door-to-independents-or-stick-with-closed-primary/>