

AMENDED IN ASSEMBLY MARCH 21, 2017

CALIFORNIA LEGISLATURE—2017—18 REGULAR SESSION

**ASSEMBLY BILL**

**No. 84**

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**Introduced by Assembly Member Mullin**  
(Coauthor: Senator Hill)

January 5, 2017

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~~An act relating to elections.~~ *An act to amend Sections 316, 340, 1000, 1001, 1201, and 1202 of the Elections Code, relating to elections.*

LEGISLATIVE COUNSEL'S DIGEST

AB 84, as amended, Mullin. ~~Presidential primary elections.~~ *Primary elections: election date.*

*Existing law requires that the statewide direct primary election be held on the first Tuesday after the first Monday in June of an even-numbered year. Existing law requires the presidential primary election to be held on the first Tuesday after the first Monday in June of a year that is evenly divisible by the number 4, and requires the presidential primary election to be consolidated with the statewide direct primary held in that year.*

*This bill instead would require that the presidential primary election be held on the first Tuesday after the first Monday in March of a year that is evenly divisible by the number 4. The bill would require that the statewide direct primary election be held on that same day in March and consolidated with the presidential primary election during a presidential primary election year. The statewide direct primary election would continue to be held in June of an even-numbered year in which a presidential primary election is not held.*

~~Existing law specifies that the presidential primary election be held on the first Tuesday after the first Monday in June in any year evenly~~

divisible by the number 4 and shall be consolidated with the statewide direct primary election held that year. Existing law also specifies that the statewide direct primary election be held on the first Tuesday after the first Monday in June of each even-numbered year.

This bill would state the intent of the Legislature to enact legislation that would move the date of the California presidential primary election, and the date of the statewide direct primary election held during a presidential election year, from June to a date earlier in the year.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 316 of the Elections Code is amended to*
- 2     *read:*
- 3     316. “Direct primary” is the primary election held on the first
- 4     Tuesday after the first Monday in June ~~in each of an~~
- 5     even-numbered year, *year that is not evenly divisible by the number*
- 6     *four, or the primary election held on the first Tuesday after the*
- 7     *first Monday in March of a year that is evenly divisible by the*
- 8     *number four, to nominate candidates to be voted for at the ensuing*
- 9     *general election or to elect members of a party central committee.*
- 10    *SEC. 2. Section 340 of the Elections Code is amended to read:*
- 11    340. “Presidential primary” is the primary election that is held
- 12    on the first Tuesday after the first Monday in ~~June in any~~ *March*
- 13    *of a year that is evenly divisible by the number four, and at which*
- 14    *delegations to national party conventions are to be chosen.*
- 15    *SEC. 3. Section 1000 of the Elections Code is amended to read:*
- 16    1000. The established election dates are as follows:
- 17    (a) The second Tuesday ~~of~~ *in April in* ~~of~~ *of each even-numbered*
- 18    year.
- 19    (b) The first Tuesday after the first Monday in March of each
- 20    odd-numbered year.
- 21    (c) The first Tuesday after the first Monday in June ~~in~~ *of each*
- 22    year.
- 23    (d) The first Tuesday after the first Monday in November of
- 24    each year.
- 25    (e) *The first Tuesday after the first Monday in March of each*
- 26    *year that is evenly divisible by the number four.*
- 27    *SEC. 4. Section 1001 of the Elections Code is amended to read:*

1 1001. Elections held in ~~June March, June,~~ and November of  
2 each an even-numbered year are statewide elections and the dates  
3 of those elections are statewide election dates.

4 *SEC. 5. Section 1201 of the Elections Code is amended to read:*

5 1201. The statewide direct primary *election* shall be held on  
6 the first Tuesday after the first Monday in June of each  
7 even-numbered ~~year~~ *year that is not evenly divisible by the number*  
8 *four, and on the first Tuesday after the first Monday in March of*  
9 *each year that is evenly divisible by the number four.*

10 *SEC. 6. Section 1202 of the Elections Code is amended to read:*

11 1202. The presidential primary shall be held on the first  
12 Tuesday after the first Monday in ~~June March~~ in ~~any~~ a year that  
13 is evenly divisible by the number four, and shall be consolidated  
14 with the statewide direct primary held in that year.

15 ~~SECTION 1. The Legislature finds and declares all of the~~  
16 ~~following:~~

17 ~~(a) California has the largest population and largest~~  
18 ~~congressional delegation of any state in the union, yet California's~~  
19 ~~current June presidential primary election date virtually ensures~~  
20 ~~the presidential nominees for the major political parties will be~~  
21 ~~determined before California voters have an opportunity to cast~~  
22 ~~their ballots.~~

23 ~~(b) It is vital to restore to California voters the opportunity to~~  
24 ~~vote in a presidential primary election that is timely and meaningful~~  
25 ~~in choosing presidential candidates.~~

26 ~~(c) Conducting the California presidential primary election on~~  
27 ~~an earlier date in the year will encourage presidential candidates~~  
28 ~~to campaign in California, and to debate and discuss issues and~~  
29 ~~policies important to the people of California.~~

30 ~~(d) Conducting the California presidential primary election on~~  
31 ~~an earlier date in the year will encourage voter registration, voter~~  
32 ~~interest, and voter participation in the 2020 presidential primary~~  
33 ~~election and subsequent presidential primary elections in California.~~

34 ~~SEC. 2. It is the intent of the Legislature to enact legislation~~  
35 ~~that would move California's presidential primary election from~~  
36 ~~June to a date earlier in the presidential election year. The~~  
37 ~~legislation would also require the statewide direct primary election~~  
38 ~~to be moved to the earlier date on which the presidential primary~~  
39 ~~election will be held so that it may continue to be consolidated~~  
40 ~~with the presidential primary election. The legislation would~~

- 1 ~~specify that the statewide direct primary election date shall remain~~
- 2 ~~in June during years in which a presidential primary election is~~
- 3 ~~not held.~~