

## **TOP TWO CANDIDATES OPEN PRIMARY ACT OF 2010 VOTER-NOMINATED OFFICES**

On June 8, 2010, California voters approved Proposition 14, which created the Top Two Candidates Open Primary Act. Offices that used to be known as “partisan offices” are now known as either a “Voter-Nominated” office or a “Party-Nominated” office.

The offices of U.S. President and County Central Committees are now known as “Party-Nominated” offices. The state constitutional offices, U.S. Congress and legislative offices are now known as “Voter-Nominated” offices.

The Top Two Primary Act changes the way elections are conducted for all statewide “Voter-Nominated” offices including:

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

The Top Two Primary Act does not affect the election of President and Central Committees, which are party-nominated.

Under the Top Two Candidates Open Primary Act, all candidates running in a primary election, regardless of their political party preference, will appear on a single combined Primary Election ballot and voters can vote for any candidate from any political party. The candidates for voter-nominated offices who receive the highest and second highest number of votes cast at the primary election, regardless of political party, shall appear on the ballot as candidates at the ensuing General Election.

Candidates for voter-nominated offices can choose whether or not to list their party preference on the Primary and General Election ballots. Political parties can no longer formally nominate candidates for voter-nominated offices, so a candidate who finishes in the top two at the Primary Election and advances to the General Election is not the official nominee of any party for the office.

Candidates have the option to list or not list their party preference on the ballot. In the “Top-Two” system, two candidates from the same party may now be nominated to run in the General Election if they receive the highest and second highest number of votes in the Primary Election. If a candidate wins a majority (50% +1) of votes cast at the Primary Election, the General Election will not be held.

Write-In candidates for voter-nominated contests are only allowed in the Primary Election and must be among the top two vote-getters in order to advance to the General Election. In the General Election, write-in votes are only allowed for Party-Nominated contests.

The following page explains the choices a candidate will have with regard to a candidate’s designation of a political party under the Top Two Candidates Open Primary Act.