

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB RCEC 15-05 Presidential Preference Primary

SPONSOR(S): Rules, Calendar & Ethics Committee

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Rules, Calendar & Ethics Committee		Birtman	Birtman

SUMMARY ANALYSIS

The presidential preference primary (primary) is an election for Florida’s major political parties to determine which party candidates should be nominated at the parties’ national conventions to be their presidential candidates in the November general election. Florida law requires the primary to be held on the first Tuesday that the rules of the major political parties provide for state delegations to be allocated without penalty.

The bill revises the date of the primary. Specifically, the bill requires the primary to be held on the third Tuesday in March in each presidential election year.

The bill does not appear to have a fiscal impact on state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Presidential Preference Primary

The presidential preference primary (primary) is an election for Florida's major political parties to determine which party candidates should be nominated at the parties' national conventions to be their presidential candidates in the November general election. Primaries are generally considered open or closed. Florida is a closed primary state, which means a registered voter may only vote in the election for the party with which the voter is affiliated.¹

Presidential Preference Primary Date

The date of the primary is determined by each state. States are given autonomy, with certain restrictions and requirements imposed by party rules, to choose the date on which to conduct their primaries.²

Section 103.101(1), F.S., provides in pertinent part that Florida's primary must be held in each year the number of which is a multiple of four, on the first Tuesday that the rules of the major political parties provide for state delegations to be allocated without penalty.

Effect of Proposed Changes

The bill revises the date of the Florida primary. Specifically, the bill requires the primary to be held on the third Tuesday in March in each presidential election year.

B. SECTION DIRECTORY:

Section 1 amends s. 103.101, F.S., relating to the presidential preference primary.

Section 2 provides an effective date of upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

¹ See s. 5(b), Art. VI, Fla. Const.

² States are free to choose which date they would like to have their primaries. However, the parties, as the organizers and conductors of the convention, can levy penalties for violations of their timing rules, which they may enforce at the convention.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.