

HB 1128 -- PRIMARY ELECTIONS

SPONSOR: Simmons

This bill provides that no person will be entitled to vote in a primary election of an established political party unless their voter registration established affiliation with said party at least 23 weeks prior to the date of the election.

Under the provisions of this bill, a candidate, a campaign committee, or a political party committee can request from the Secretary of State the political party affiliations of voters who applied for an absentee ballot.

Registered voters must select a party affiliation before the 23rd Tuesday prior to the date of the election in order to select that party's ballot at the primary election. If a voter changes their party registration within 23 weeks of a party primary election, they will only be entitled to vote the ballot of the party with which they were registered prior to their change of registration. Any person not previously registered in this State must select their party affiliation by the fourth Wednesday prior to the primary election in order to select that party's ballot at the primary election.

Voters voting in-person or absentee who are unaffiliated with a political party will only be entitled to cast an unaffiliated ballot.

Any person who files a declaration of candidacy or is selected by a party nominating committee as a candidate in a primary election must be affiliated with that political party, as evidenced by his or her voter registration, no later than 23 weeks prior to the last Tuesday in February immediately preceding the primary election. Any person who files a declaration of candidacy as an independent candidate or as the candidate of a new political party must be unaffiliated with an established party, as evidenced by his or her voter registration no later than the 23rd Tuesday prior to the opening date of candidate filing for the primary election.

No later than 19 weeks prior to the primary election date the Secretary of State must distribute a list of eligible voters for each political party to local election authorities. Any political party entitled to ballot access is allowed to exempt itself from a protected primary and conduct a party caucus at its own expense. The State must pay the costs of implementing and providing notice of the closed primary system.

Provisions of this bill have a January 1, 2028, delayed effective date.

This bill is similar to HB 31 (2023) and HB 1410 (2024).