

**Proposition 107
Presidential Primary Elections**

1 **Proposition 107 proposes amending the Colorado statutes to:**

- 2 ◆ establish a presidential primary election in Colorado that allows
3 participation by unaffiliated voters.

4 **Summary and Analysis**

5 **Background.** Presidential nominees for major political parties are chosen by state
6 delegates at each party's national convention. Delegates to the national convention
7 are selected by each state based on the results of either a caucus or presidential
8 primary election. Proposition 107 establishes a presidential primary election in
9 Colorado that is open to voters affiliated with a major political party and to unaffiliated
10 voters. Presidential primary elections were conducted in the state in 1992, 1996, and
11 2000. In other years, Colorado's political parties have selected delegates for
12 nominating presidential candidates using a caucus system. Caucus participation is
13 limited to voters who have affiliated with that political party at least two months prior to
14 the caucus. Voters at a caucus typically debate the merits of each candidate and, in
15 most years, a straw poll-style vote is then taken to determine the candidate preference
16 of voters. Based on the caucus results, the parties allocate delegates to the national
17 conventions.

18 **Process for presidential primaries.** The presidential primary election
19 established by Proposition 107 will be conducted as a mail ballot election on a date set
20 by the Governor, no later than the third Tuesday in March. No other issue may be
21 included on the ballot. Proposition 107 does not impact the existing primary election in
22 Colorado, held in June, for other state, federal, and local offices.

23 **Participation of affiliated and unaffiliated voters.** Under Proposition 107,
24 voters are not required to affiliate with a political party in order to vote in the
25 presidential primary election. Under Proposition 107, each major political party will
26 have a separate presidential primary ballot for use by voters affiliated with the party.
27 Unaffiliated voters will receive a combined ballot that shows all candidates for each
28 political party. Unaffiliated voters may vote for a candidate of only one political party.
29 If a voter selects candidates of more than one political party on the combined ballot,
30 his or her ballot will not be counted.

31 **Funding for presidential primaries.** Under Proposition 107, the cost of the
32 presidential primary election will be paid by the state and counties. Counties will be
33 responsible for administering the presidential primary election, and they will be
34 reimbursed for a portion of these costs by the state. Currently, caucuses are paid for
35 and conducted by the political parties.

1 **Pledging of delegates.** Under Proposition 107, the winner of a party's
2 presidential primary receives all delegates to the national convention, and the
3 delegates are bound to support the winner at the convention.

4 **Impact on political party caucuses.** Under Proposition 107, parties will still be
5 allowed to hold caucuses to handle internal party business. However, parties will no
6 longer use caucuses to determine the state party's choice for presidential nominee.

*For information on those issue committees that support or oppose the measures on the ballot at the **November 8, 2016**, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:*

<http://www.sos.state.co.us/pubs/elections/Initiatives/InitiativesHome.html>

7 **Arguments For**

8 1) A presidential primary serves Colorado voters better than the caucus system.
9 The current caucus system is confusing and inaccessible to many voters. Caucuses
10 can be crowded, held at inconvenient times, and conducted by inexperienced
11 volunteers. A presidential primary election eliminates the logistical difficulties of
12 conducting caucuses. Under Proposition 107, a presidential primary will give voters
13 several weeks to cast their ballots by mail or at a vote center, and the election will be
14 conducted in the same manner as all other elections by experienced county election
15 officials.

16 2) All registered voters in Colorado should be allowed to participate in the
17 selection of presidential nominees, even if they are not affiliated with a political party.
18 Unaffiliated voters make up more than one-third of all registered voters in the state.
19 Proposition 107 gives these unaffiliated voters a role in selecting presidential
20 nominees and may increase voter participation.

21 3) Proposition 107 protects voter confidentiality by allowing voters to select
22 presidential primary candidates using a secret ballot. The current caucus system
23 requires voters to publicly declare their candidate preference, which can discourage
24 participation by many voters who do not wish to make their preference known.

1 **Arguments Against**

2 1) Proposition 107 uses a combined ballot system for unaffiliated voters that will
3 likely result in some unaffiliated voter ballots not being counted, could change the
4 primary election winners, and would raise costs for taxpayers. On a combined ballot,
5 unaffiliated voters must vote for only one party's candidate. People who vote for
6 candidates in both parties will have their ballot disqualified, and their ballots will not be
7 counted. This can change election results, and may result in contested elections and
8 litigation. Producing and processing a separate combined ballot only for unaffiliated
9 voters creates administrative and financial burdens for counties, especially smaller or
10 rural counties.

11 2) Proposition 107 shifts costs to taxpayers, as the state and counties will be
12 required to spend at least \$5.0 million every four years to conduct a presidential
13 primary election. Under a caucus system, taxpayers save money because caucuses
14 are conducted and funded by the political parties. Taxpayers should not be required
15 to pay the costs of nominating contests for political parties. The measure also places
16 an administrative burden on counties to conduct an additional election every four
17 years.

18 3) Under current law, unaffiliated voters who wish to participate at a caucus can
19 declare their party affiliation ahead of time and attend.

20 **Estimate of Fiscal Impact**

21 **State spending.** Proposition 107 increases state spending in the Secretary of
22 State's Office by about \$210,000 in budget year 2018-19 and by \$2.7 million in
23 budget year 2019-20 when the next presidential primary election will be conducted
24 under the measure. After budget year 2019-20, state spending will increase every
25 four years during presidential election years to conduct the presidential primary
26 election.

27 **Local government spending.** Under Proposition 107, counties will have costs of
28 about \$5.3 million in budget year 2019-20 to conduct a presidential primary election.
29 Counties will be reimbursed about \$2.6 million by the state to offset these costs. After
30 budget year 2019-20, spending by counties will increase every four years to conduct
31 the presidential primary election.