

**SUBJECT:** Changing primary election dates

**COMMITTEE:** Elections — committee substitute recommended

**VOTE:** 9 ayes — Danburg, J. Jones, Denny, Gallego, Galloway, Hodge, Isett, Madden, Place  
0 nays

**WITNESSES:** For — Steve McDonald, Texas Democratic Party; Mary Ann Collins, Republican Party of Texas; Maxine Barkan, League of Women Voters of Texas; Walter Hinojosa, Texas AFL-CIO; Suzy Woodford, Common Cause of Texas; Mike Workman  
Against — None  
On — Melinda Nickless, Secretary of State; John Willingham, Texas Association of Elections Administrators

**DIGEST:** HB 32 would amend the Election Code to move the date for the presidential primary and general primary election from the second Tuesday in March to the first Saturday in May and the date for the primary runoff from the second Tuesday in April to the first Saturday in June, starting with the 2000 election. Application to be placed on the ballot would have to be received on the last Monday in February rather than on January 2.  
HB 32 also would establish the fourth Saturday in March rather than the first Saturday in May as one of the four uniform election dates and would allow political subdivisions until December 31, 1999, to change their general election date.  
HB 32 would take effect September 1, 1999.

**SUPPORTERS SAY:** HB 32 is a bipartisan effort to restore rationality to the election process in Texas. The state's primary season is too long and too expensive. Because the filing deadline is January 2, the filing period occurs during the holiday season, and campaigns are put in motion for almost a year. There is a general consensus that the primaries should be restored to their pre-1988

dates.

For many years Texas held its primaries on the first Saturday in May. In 1988, Texas banded together with 13 other southern and border states to create Super Tuesday in hopes of giving the region more of a voice in picking presidential nominees from both political parties. However, Super Tuesday never exerted much influence on the presidential primaries, and its legacy for Texas has not been national clout but local dissatisfaction.

The early primary dates have made voters disenchanted with the seemingly endless campaigning. The long eight months that now stretch between the primary and general elections make it difficult for the voters to keep focused on the issues and difficult for candidates trying to enter political life since they are unlikely to have sufficient resources to finance a drawn-out campaign. Furthermore, under the current system, incumbents who lose in March remain in office as lame ducks for nearly a year, raising questions about to their effectiveness and accountability.

Having the primaries on Saturday would increase election worker availability and voter convenience. Texas voters are accustomed to voting on Saturday, when most local elections are held. Although there may be some costs to having elections on Saturdays, these should be more than offset by the greater convenience to voters.

Since both political parties have already contracted to hold their state conventions under the current election schedule, the bill would take effect with the 2000 election rather than in 1998.

**OPPONENTS  
SAY:**

HB 32 could increase the costs of holding elections by requiring that the primary and runoff elections be conducted on a Saturday instead of Tuesday, a day when most public buildings are already open.

The bill also does not address the filing deadline for minor party candidates, who would still be required to file by January 2. Also, the Election Code mandates that county and senatorial district conventions be held on the *third* Saturday after the general primary election day. Moving the primary election day to the first Saturday in May would mean these conventions would have to be held over the Memorial Day weekend. The convention

date should be moved to the *second* Saturday after the general primary election.

NOTES:

The committee substitute changed the date that political subdivisions could start holding elections under the new system from December 1, 1998, to December 1, 1999, and changed the effective date of the bill from September 1, 1997 to September 1, 1999.

Rep. Greenberg intends to offer floor amendments that would move the convention date for county and senatorial district conventions to the second Saturday after the primary; move the filing deadline for minor party candidates to conform to the deadline mandated in HB 32; and address charges for building use in excess of reasonable fees.

The companion bill, SB 44 by Nelson, has been referred to the Senate State Affairs Committee.