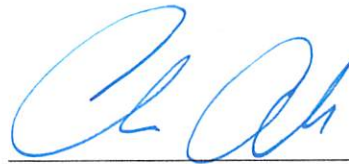




Chairman Phil Mendelson



Councilmember Charles Allen

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the District of Columbia Election Code of 1955 to allow the Board of Elections to receive absentee ballots mailed on or before Election Day up to seven days after the election, to move the primary election date in presidential election years to the first Tuesday in June, and to allow the Board of Elections to conduct early voting two days earlier than currently provided.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Primary Date Alteration Emergency Declaration Resolution of 2019”.

Sec. 2. (a) There exists an immediate need to move the District of Columbia’s primary election date in presidential election years from the third Tuesday to the first Tuesday in June.

(b) The current date – June 16, 2020 – violates the rules of both the Republican and Democratic Parties. Republican National Committee rules require a primary election to occur during a certain timeframe prior to the Republican National Convention. As the current primary election date falls outside of this timeframe, the D.C. Republican Party is effectively prohibited from participating in the Board of Elections-run primary election. The Democratic National Committee has adopted similar rules, with which the date does not comply.

(c) Bringing the primary election date into compliance with these rules requires either a date change or the Board of Elections (“Board”) to hold two elections – one for local races and

35 one for federal races. Holding separate local and presidential elections would be a waste of
36 District resources. Further, based on historic trends, it would likely discourage voter turnout in
37 the local election and cause voter confusion.

38 (d) Moving the primary date to the first Tuesday in June would align the District with
39 state primaries in Montana, New Jersey, New Mexico, and South Dakota. Currently, the District
40 holds the last presidential primary election in the country.

41 (e) A primary date earlier than the first Tuesday in June would raise concerns because it
42 would require candidates to do the bulk of their campaigning over the December holidays after
43 picking up their petitions earlier in the month. This would not provide the time for new
44 candidates to reach voters or give voters the chance to learn about new candidates.

45 (f) A primary date earlier than that proposed in the emergency legislation would also
46 limit the ability of candidates to successfully run under the District's new Fair Elections Program
47 for publicly financed campaigns.

48 (g) At the Committee on the Judiciary and Public Safety's April 29, 2019, public hearing
49 on identical permanent legislation, the Board raised two concerns which this emergency
50 legislation addresses. First, the Board noted that, for a presidential primary election held on the
51 first Tuesday in June, the Memorial Day holiday would almost always take place during the early
52 voting period. This emergency legislation therefore adds two days of early voting to the current
53 period. Second, the Board noted that it will experience difficulties in processing and fulfilling
54 requests for absentee ballots that are received on or shortly before the deadline for requesting
55 absentee ballots, which is currently the seventh day before Election Day. This emergency
56 legislation therefore allows the Board to receive absentee ballots up to 7 days after an election,

57 rather than by 8 p.m. on Election Day, giving all District residents an opportunity to have their
58 absentee vote counted.

59 Sec. 3. The Council of the District of Columbia determines that the circumstances
60 enumerated in section 2 constitute emergency circumstances making it necessary that the
61 Primary Date Alteration Emergency Amendment Act of 2019 be adopted after a single reading.

62 Sec. 4. This resolution shall take effect immediately.