_____   _____
Chairman Phil Mendelson   Councilmember Charles Allen

A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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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.