

AMENDMENT 3

OPPOSE BALLOT INITIATIVE #3

Ballot initiative #3, misleadingly titled, “All Voters Vote in Primary Elections for State Legislature, Governor and Cabinet,” would have a negative impact on voters of color and effectively silence their voices. In addition, it would create a “top-two” electoral system that could prevent voters in the general election from voting for members of their own party in state legislative, governor and cabinet races.

While supporters of Ballot Initiative #3 claim that this would allow more voters to participate in our democratic process, this amendment would have a negative impact on voters of color by diluting their vote in primary elections.

The measure also raises First Amendment concerns by hindering political dissent and a political party’s freedom of association, as well as the ability to select its candidates and messaging.

Ballot Initiative #3 creates a “top-two” primary election in which all candidates (regardless of party affiliation) are listed on the same primary ballot. The top two candidates with the most votes, regardless of their party affiliations, advance to the general election. As a result, two candidates belonging to the same political party may win in a top-two primary and run against each other in the general election, precluding voters in the general election from being able to vote for a member of their own party for governor, cabinet, or state legislative races. There are only three other states in the country that utilize this system.

Additionally, Florida is a “closed primary state.” Top-two primaries will make it much harder for candidates of color and minor party candidates to win legislative races. This would lead to fewer minority candidates being elected to represent their constituents.

Top-2 primary systems are uncommon in the U.S. and this is the wrong open primary approach for Florida.

IMPLICATIONS OF BALLOT INITIATIVE #3

- May lead to fewer minority candidates being elected to serve and represent their constituents in the Florida Legislature.
- May result in two candidates from the same political party running against one another in the same race in the General Election.
- May preclude voters from having the option to vote for someone from their own party for Governor, Cabinet, and State Legislative races.
- Raises significant First Amendment concerns by failing to allow candidates to distinguish between their party affiliations and preferences. May lead to voter confusion as the amendment fails to indicate whether all candidates will be able to identify their party preferences on the ballot or how the ballot will be designed.

Protect the voices of all Florida voters. Vote NO on Ballot Initiative #3.