



# Allegheny County Council

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## Legislation Text

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**File #:** 12681-23, **Version:** 1

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Motion of the Council of Allegheny County urging the General Assembly to enact, with all deliberate speed, the provisions of S.B. 400, introduced on April 26, 2023, and providing for the institution of a semi-open Primary Election voting process in the Commonwealth.

**WHEREAS**, Pennsylvania is one of only nine of the United States that continues to utilize a “closed” Primary Election voting system, in which only members of the two major parties may cast ballots for their own parties’ candidates for elected office, and independent and unaffiliated voters are limited to voting only on ballot questions; and

**WHEREAS**, because of this “closed” Primary Election voting system (which has been in place in Pennsylvania since 1937), over 1.2 million voters in the Commonwealth are statutorily forbidden from voting for any candidate(s) in any primary election, with about 1.1 million of these voters being registered as “independent” otherwise unaffiliated with any party; and

**WHEREAS**, as noted in a co-sponsorship memorandum circulated by the two primary sponsors of S.B. 400, Senators Boscola (D - Northampton) and Laughlin (R - Erie) in December of 2022, independent and/or unaffiliated voters likely include disproportionate numbers of Pennsylvania veterans, since half of all veterans are political independents, along with a high number of young voters, Latino and Asian-American voters, who on average are much more likely to register as independents; and

**WHEREAS**, a “closed” primary system therefore likely disadvantages these demographic groups disproportionately, by forbidding those that register as independent or unaffiliated from having any say in any candidate’s presence on a General Election ballot; and

**WHEREAS**, Senators Boscola and Laughlin also note that “closed primaries constitute a form of taxation without representation, as all taxpayers pay for primary elections but not all are allowed to participate.” See, co-sponsorship memorandum of December 22, 2022; and

**WHEREAS**, Senator Boscola has additionally indicated that Gallup polling conducted in march of 2023 indicated that 49% of U.S. residents surveyed consider themselves as politically independent, which is the highest level in more than two years and the second-highest in 19 years of Gallup survey data on the question; See, Turner, “*There’s a new push to make Pennsylvania’s primary elections open to independents,*” Pittsburgh Post-Gazette, April 27, 2023; and

**WHEREAS**, as indicated in that same published report, Senator Boscola and other co-sponsors are of the considered opinion that “closed” Primary Systems at least implicitly encourage candidates for office to attempt to appeal to more polarized viewpoints, in an effort to distinguish themselves from their opponents, who are of the same party affiliation; and

**WHEREAS**, Senators Boscola and Laughlin have both indicated that a semi-open primary system in which independent and unaffiliated voters would be permitted to vote for candidates in primary elections would

necessarily require Democratic and Republican Primary Election candidates to reach out to a broader cross-section of voters, rather than being virtually forced to seek the support of only the extreme right or extreme left of the electorate. See, Turner, Id.; and

**WHEREAS**, it is the considered opinion of Council that the General Assembly should modernize the Commonwealth's antiquated "closed" primary system in an effort to mitigate polarization in our primary election process;

**NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY, THAT**

Council hereby urges the General Assembly to enact, with all deliberate speed, the provisions of S.B. 400, introduced on April 26, 2023, and providing for the institution of a semi-open Primary Election voting process in the Commonwealth.