

113TH CONGRESS
2^D SESSION

H. R. 5334

To require all candidates for election for the office of Member of the House of Representatives to run in a single open primary regardless of political party preference, to limit the ensuing general election for such office to the two candidates receiving the greatest number of votes in such single open primary, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2014

Mr. DELANEY introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require all candidates for election for the office of Member of the House of Representatives to run in a single open primary regardless of political party preference, to limit the ensuing general election for such office to the two candidates receiving the greatest number of votes in such single open primary, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Open Our Democracy
3 Act of 2014”.

4 **SEC. 2. ELECTION OF MEMBERS OF HOUSE OF REPRESENT-**
5 **ATIVES THROUGH OPEN PRIMARIES.**

6 (a) **RULES FOR ELECTION OF HOUSE MEMBERS.—**

7 A candidate for election for the office of Member of the
8 House of Representatives shall be elected to such office
9 pursuant to the following elections held by the State in
10 which the candidate seeks election:

11 (1) A single open primary election for such of-
12 fice held in accordance with subsection (b).

13 (2) A single general election for such office held
14 in accordance with subsection (c).

15 (b) **OPEN PRIMARIES.—**Each State shall hold a sin-
16 gle open primary election for each office of Member of the
17 House of Representatives in the State under which—

18 (1) each candidate for such office, regardless of
19 the candidate’s political party preference, shall ap-
20 pear on a single ballot; and

21 (2) each voter in the State who is eligible to
22 vote in elections for Federal office in the Congres-
23 sional district involved may cast a ballot in the elec-
24 tion, regardless of the voter’s political party pref-
25 erence.

1 (c) GENERAL ELECTION.—Each State shall hold a
2 general election for each office of Member of the House
3 of Representatives in the State under which the 2 can-
4 didates receiving the greatest number of votes in the single
5 open primary election for such office (as described in sub-
6 section (b)), without regard to the political party pref-
7 erence of such candidates, shall be the only candidates ap-
8 pearing on the ballot.

9 **SEC. 3. ABILITY OF CANDIDATES TO DISCLOSE POLITICAL**
10 **PARTY PREFERENCES.**

11 (a) OPTION OF CANDIDATES TO DECLARE POLIT-
12 ICAL PARTY PREFERENCE.—At the time a candidate for
13 the office of Member of the House of Representatives files
14 to run for such office, the candidate shall have the option
15 of declaring a political party preference, and the pref-
16 erence chosen (if any) shall accompany the candidate’s
17 name on the ballot for the election for such office.

18 (b) DESIGNATION FOR CANDIDATES NOT DECLAR-
19 ING PREFERENCE.—If a candidate does not declare a po-
20 litical party preference under subsection (a), the designa-
21 tion “No Party Preference” shall accompany the can-
22 didate’s name on the ballot for the election for such office.

23 (c) NO PARTY ENDORSEMENT IMPLIED.—The selec-
24 tion of a party preference by a candidate under subsection
25 (a) shall not constitute or imply endorsement of the can-

1 didate by the party designated, and no candidate in a gen-
2 eral election shall be deemed the official candidate of any
3 party by virtue of his or her selection in the primary.

4 **SEC. 4. PROTECTION OF RIGHTS OF POLITICAL PARTIES.**

5 Nothing in this Act shall restrict the right of individ-
6 uals to join or organize into political parties or in any way
7 restrict the right of private association of political parties.
8 Nothing in this Act shall restrict a party's right to con-
9 tribute to, endorse, or otherwise support a candidate for
10 the office of Member of the House of Representatives. A
11 political party may establish such procedures as it sees
12 fit to endorse or support candidates or otherwise partici-
13 pate in all elections, and may informally designate can-
14 didates for election to such an office at a party convention
15 or by whatever lawful mechanism the party may choose,
16 other than pursuant to a primary election held by a State.
17 A political party may also adopt such rules as it sees fit
18 for the selection of party officials (including central com-
19 mittee members, presidential electors, and party officers),
20 including rules restricting participation in elections for
21 party officials to those who disclose a preference for that
22 party at the time of registering to vote.

1 **SEC. 5. TREATMENT OF ELECTION DAY IN SAME MANNER**
2 **AS LEGAL PUBLIC HOLIDAY FOR PURPOSES**
3 **OF FEDERAL EMPLOYMENT.**

4 (a) **IN GENERAL.**—For purposes of any law relating
5 to Federal employment, the Tuesday next after the first
6 Monday in November in 2016 and each even-numbered
7 year thereafter shall be treated in the same manner as
8 a legal public holiday described in section 6103 of title
9 5, United States Code.

10 (b) **SENSE OF CONGRESS REGARDING TREATMENT**
11 **OF DAY BY PRIVATE EMPLOYERS.**—It is the sense of Con-
12 gress that private employers in the United States should
13 give their employees a day off on the Tuesday next after
14 the first Monday in November in 2016 and each even-
15 numbered year thereafter to enable the employees to cast
16 votes in the elections held on that day.

17 **SEC. 6. STUDY OF NATIONAL STANDARDS AND CRITERIA**
18 **FOR CONGRESSIONAL REDISTRICTING.**

19 (a) **STUDY.**—The Comptroller General shall conduct
20 a study of the feasibility and desirability of enacting na-
21 tional standards and criteria for Congressional redis-
22 tricting.

23 (b) **REPORT TO CONGRESS.**—Not later than 1 year
24 after the date of the enactment of this Act, the Comp-
25 troller General shall submit a report to Congress on the
26 study conducted under subsection (a).

1 **SEC. 7. MEMBER DEFINED.**

2 In this Act, the term “Member of the House of Rep-
3 resentatives” included a Delegate or Resident Commis-
4 sioner to the Congress.

5 **SEC. 8. EFFECTIVE DATE.**

6 Except as provided in sections 5(a) and 6(b), this Act
7 shall apply with respect to elections occurring during 2016
8 or any succeeding year.

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