

Wilmington, Delaware
June 15, 2023

#0321

Sponsor:

**Council
Member
Darby**

WHEREAS, House Bill No. 43 (HB No. 43), An Act to Amend § 3110, Title 15 of the Delaware Code Relating to Primary Elections, allows Delawareans without political affiliation to vote in the primary election of their choice without declaring an affiliation; and

WHEREAS, closed primary elections, that only permit voters with declared political affiliations to select candidates for a general election, prevent voters from participating in taxpayer-funded elections. Unaffiliated voters are a growing segment of the political landscape. 171,845 registered Delaware voters are not affiliated with a political party. Approximately 95,845 independent voters are located in New Castle County; and

WHEREAS, semi-open and open primaries allow nonpartisan voters to participate in primary elections without being registered as party members. The constitutionality of semi-open and open primary elections was affirmed by the Supreme Court in Washington State Grange v. Washington State Republican Party, 552 U.S. 442 in 2008. In 21 states, at least one political party conducts open primaries for congressional and state-level offices; and

WHEREAS, the political climate in both national and local governance has become increasingly polarized, leading to legislative impasses on critical policy decision-making, and voter disaffection. In January 2023, an NBC News poll reported that 71% of Americans believe that the country is “on the wrong track.” In all 50 states, closed primary elections tend to have low turnout, and 20% lower general election participation than when preceded by open primaries; and

WHEREAS, semi-open and open primaries enhance the incentives for political candidates to engage with voters across a broader spectrum of political ideologies, limit divisive campaign rhetoric, and demonstrate their capacity to work collaboratively with members of other political parties if elected. It also increases the likelihood that candidates selected to represent their political parties will more closely reflect the voter consensus.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington City Council supports House Bill No. 43 (HB No. 43), an Act to Amend § 3110, Title 15 of the Delaware Code Relating to Primary Elections, which aims to allow unaffiliated voters to vote in the primary election of their choice without being required to declare a political affiliation.

BE IT FURTHER RESOLVED that the Wilmington City Council encourages members of the Delaware General Assembly to support HB No. 43, which establishes open and semi-closed primary elections for all Delawareans because it strengthens democratic institutions through equal representation, freedom of choice, and greater participation in elections. Elected officials perform better when competition is increased, and they are incentivized to listen to their entire constituencies.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution expresses strong support from the Wilmington City Council for the passage of House Bill No. 43 (HB No. 43), An Act to Amend § 3110, Title 15 of the Delaware Code Relating to Primary Elections. This Act allows Delawareans without political affiliations to vote in the primary election of their choice without declaring an affiliation.