

This fact sheet has been prepared as a guide for the Commission on Presidential Nomination Timing and Scheduling. This document attempts to explain the relationship between the "window" and State Parties and their delegate selection plans. The final section of this document lists a state-by-state analysis of statutory provisions and historical timing.

The Window

Since 1980, the DNC has allowed each State Party to determine when to hold its primary or first-tier caucus, as long as the date falls within a set time-period or "window." This window is established and promulgated every four years by the DNC as part of the *Delegate Selection Rules*. The window has come to be known as Rule 10. Essentially, the Commission's work is in the context of recommending Rule 10.

In 2004, the window was a four-month period during which a State Democratic Party could hold the first step (a primary or caucus) in its process for determining the allocation of delegates in the Party's presidential nominating process. In 2004, the window opened the first Tuesday in February (February 3, 2004) and closed the second Tuesday in June (June 8, 2004).

The Advancement of the Window

For the 2004 presidential nominating process, the fact that the window opened in February compounded the uncertainty of determining the 2004 primary/caucus schedule. Until the 2004 cycle, the Democratic Party had sought to contain the length of the nominating process within a three-month period (March to June) since first creating the window for the 1980 nominating cycle.

Democrats found it necessary to expand the window because of the timing of Republican contests. Until the 2000 cycle, the Republican Party had no policy on the timing of state contests. However, when they finally did establish a window, they set a date that moved their calendar into February – a month earlier than the Democrats.

Consequently, the Republican calendar not only added a month to the beginning of the 2000 nominating process, but required the DNC deny a number of states the opportunity to hold both Democratic and Republican contests on the same day. As a result, many voters were confused, voter interest and participation were diminished, and some State Democratic Parties incurred unnecessary additional costs.

When the Republicans would not agree to move back the opening of their window, the Democratic Party reluctantly moved up the timing of its window. At the time, Democrats felt it was important that the timing of our presidential primary and caucus contests be standardized with the Republicans, even if it meant our process would begin a month earlier.

Traditionally Early States

Since the inception of the window for the 1980 presidential nominating cycle, the Democratic

Party has recognized the historic placement and traditional role of Iowa's caucuses and New Hampshire's primary. Normally, the Party specified that Iowa may hold its precinct caucuses no more than 15 days before the beginning of the window (in the case of 2004 this was January 19, 2004), and New Hampshire may hold its primary no more than seven (7) days before the window (in the case of 2004 this was January 27, 2004).

State Parties and Delegate Selection Plans

Every State (and Territorial) Democratic Party prepares a Plan for selecting delegates to the National Convention. Each Plan describes the delegate selection process to be used by that State Party. A Delegate Selection Plan provides for: (1) the allocation of pledged delegate positions among the various presidential candidates; and (2) the filling of those positions with individuals who will go to the Convention as delegates pledged to particular presidential candidates. The first step in the allocation process – how many delegate positions each presidential candidate wins – is either a presidential primary or the first-tier in a series of caucuses.

Based on past timing, by May 2007, every State/Territorial Party must submit its Delegate Selection Plan to the DNC Rules and Bylaws Committee for review to ensure it fully complies with the National Party's requirements, including timing of the process – Rule 10.

Primary and Caucus Dates

In most states that use a presidential primary system, the date of the primary is stipulated by state law. Changes to the date of a state primary usually require approval by the legislature and the governor. At this time, several states are considering legislation to change the date of their presidential primaries.

On the other hand, caucuses and other variations, such as Party-run primaries, are administered by a State Democratic Party which (subject to National Party rules) decides the timing and other details of the process.

State Laws & Historical Timing

The table below indicates whether a State Party has traditionally used a primary or caucus process and provides a *best educated guess* based on state law or historical timing of the date of the contest in 2004.

Window and State Primary Dates Informational Fact Sheet

| State Laws & History: The Timing of Presidential Contests At -A-Glance | | | |
|--|---|----------------|---|
| State | Notes | State | Notes |
| Alabama | <p>Legislation has been filed to move the State presidential primary to the Saturday immediately following the New Hampshire presidential primary. The legislation has passed the Alabama House and is now waiting action in the Senate.</p> <p>Current state law provides for a presidential primary on the first Tuesday in June.</p> | Montana | State law provides for a presidential primary on the first Tuesday following the first Monday of June. |
| Alaska | Traditionally, Alaska's first-tier precinct caucuses are held in mid-April. | Nebraska | State law provides for a presidential election on the first Tuesday following the second Monday of May. |
| Arizona | <p>State law provides for a presidential primary election on the fourth Tuesday in February.</p> <p>Furthermore, Arizona law stipulates that the Governor may, by proclamation, set the date of the presidential preference primary, provided that he/she does so prior to 150 days before the new date of the "Presidential Preference Election."</p> <p>In accordance with state law, in 2003 Governor Napolitano issued a proclamation setting the date of the primary as the first Tuesday in February.</p> | Nevada | Traditionally, Nevada's first-tier precinct caucuses are held in early March. However, in 2004, the caucuses were held on the second Tuesday in February. |
| Arkansas | <p>Legislation has been filed to move the presidential preference primary to the first Saturday in February.</p> <p>Current state law provides for a presidential primary to be held three weeks prior to the second Tuesday in June.</p> | New Hampshire | Pursuant to the Rules, New Hampshire was allowed to hold its primary seven days no more than seven days before the opening of the window. |
| California | The governor recently signed legislation moving the presidential primary to the second Tuesday in June. | New Jersey | <p>Legislation has been filed to move the presidential preference primary to the last Tuesday in February.</p> <p>Current state law provides for a primary on the Tuesday following the first Monday of June.</p> |
| Colorado | <p>State law provides for a presidential primary on the Friday following the first Tuesday in March.</p> <p>The state government did not fund the primary in 2004, and the State Party was forced to hold a caucus system on the second Tuesday of April.</p> | New Mexico | <p>State law provides for a presidential primary on the first Tuesday in June.</p> <p>In 2004, for the first time, the State Party ran a caucus system on the opening day of the window.</p> <p>In 2005, the Governor vetoed legislation aimed at moving the date of the presidential preference primary to the Tuesday after the first Monday in June.</p> |
| Connecticut | State law provides for a presidential primary on the first Tuesday in March. | New York | State law provides for a presidential primary on the first Tuesday in March. |
| Delaware | <p>State law provides for a presidential primary on the first Tuesday in February.</p> <p>This was an adjustment for the 2004 cycle. Prior to that, state law required the primary to be held the Saturday immediately after the New Hampshire primary. In 1996 and 2000, the DNC required the State Party to hold a caucus system.</p> | North Carolina | <p>Legislation has been filed to move the presidential preference primary to the first Tuesday in February.</p> <p>Current state law provides for a presidential primary on the Tuesday following the first Monday in May.</p> |

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| District of Columbia | District law provides for a presidential primary on the second Tuesday of January. This was changed in 2003 from the historical date of the first Tuesday in February. Since the date of the primary violated the window, the DNC required the DC State Party to hold a Party-run nominating event. This was held the second Tuesday in February. | North Dakota | Traditionally, North Dakota's first-tier precinct level caucuses are held in March. In 2004, the state held moved its caucuses to the opening of the window. |
| Florida | State law provides for a presidential primary on the second Tuesday in March. | Ohio | Legislation has been filed to move the presidential preference primary to the first Monday in May. Current state law provides for a presidential primary on the Tuesday following the first Monday in March. |
| Georgia | State law provides for a presidential primary on the first Tuesday in March. | Oklahoma | State law provides for a presidential primary on the second Tuesday in March. |
| Hawaii | Traditionally, Hawaii's first-tier precinct caucuses are held in March, however in 2004, the State Party held them on the last Tuesday of February. | Oregon | State law provides for a vote-by-mail presidential primary on the third Tuesday in May, with ballots mailed to voters 20 days before the date of the election. |
| Idaho | State law provides for a presidential primary on the fourth Tuesday in May. However, the State Party has traditionally used a caucus system. In 2004, the caucus was held on the last Tuesday in February. In prior cycles, they were held the first Tuesday in March. | Pennsylvania | Legislation has been filed in the State Senate to move the primary to the second Tuesday in March. State law provides for a presidential primary on the first Tuesday in April. |
| Illinois | State law provides for a presidential primary on the third Tuesday in March. | Rhode Island | State law provides for a presidential primary on the first Tuesday in March. |
| Indiana | State law provides for a presidential primary on the Tuesday following the first Monday in May. | South Carolina | South Carolina Democrats held their Party-run primary on the first Tuesday in February 2004. In 2000, they held a caucus system on the Saturday after the opening of the window. |
| Iowa | Pursuant to the Rules, in 2004, Iowa was s allowed to hold its first-tier precinct caucuses no more than 15 days before the opening of the window. | South Dakota | State law provides for a presidential primary on the first Tuesday in June. |
| Kansas | State law provides for a presidential primary on the first Tuesday in April. However, in 1996, 2000 and 2004 the state did not fund a presidential primary. Subsequently, the State Party held caucuses the second Saturday of March in 2004. | Tennessee | State law provides for a presidential primary on the second Tuesday in February. |
| Kentucky | State law provides for a presidential primary on the first Tuesday following the third Monday in May. | Texas | Texas Democrats use a combination presidential primary and caucus system. State law provides for a presidential primary on the second Tuesday in March. Precinct conventions are also held on that same day. |

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| State | Notes | State | Notes |
| Louisiana | State law provides for a presidential primary on the second Tuesday in March. | Utah | Utah held its first presidential primary in 2000. State law provides for a presidential primary the Friday following the first Monday in March. In 2004, the state de-funded the presidential primary. Subsequently, the State Party held a Party-run Primary on the last Tuesday of February. |
| Maine | State held a presidential primary on the first Tuesday in March in 1996 and 2000. Prior to that, Maine traditionally used a caucus process beginning with precinct caucuses the Saturday following the New Hampshire primary, pursuant to an exception allowed by the Rules. The State Party has voted to use a caucus process for 2004, however, there is no longer an exception for Maine to hold caucuses before the window. | Vermont | State law provides for a presidential primary on the first Tuesday in March. |
| Maryland | State law provides for a presidential primary on the first Tuesday in March. | Virginia | State law provides for a presidential primary on the second Tuesday in February. |
| Massachusetts | State law provides for a presidential primary on the first Tuesday in March. | Washington | State law provides for a presidential primary on the fourth Tuesday in May. Furthermore, state law provides the Secretary of State the ability to convene a committee that has the power to unilaterally establish a new primary date. However, traditionally Washington State Democrats have used a caucus process. In 2004, the caucus was held on the Saturday immediately following the opening of the window. |
| Michigan | Traditionally, Michigan's caucuses, more commonly known as a "firehouse primary" have been held on Saturdays in mid-March. In 2004, in an agreement reached with the DNC Michigan held its party-run primary on the Saturday after the opening of the window. | West Virginia | State law provides for a presidential primary on the second Tuesday in May. |
| Minnesota | Traditionally, Minnesota's caucuses have been held in early March. | Wisconsin | State law provides for a presidential primary on the third Tuesday in February. This was changed for 2004. Prior to that the primary was held the first Tuesday in April. |
| Mississippi | State law provides for a presidential primary on the second Tuesday in March. | Wyoming | Traditionally, Wyoming's first-tier county conventions are held in late March. |
| Missouri | State law provides for a presidential primary the first Tuesday in February. State Democrats participated in a primary in 1988, 2000 and 2004. All other cycles, they used a caucus system beginning in early March. | American Samoa | Traditionally, American Samoa's caucuses are held in March. |
| | | Democrats Abroad | Traditionally, Democrats Abroad country caucuses are held in March. |
| | | Guam | In 2000, Guam's caucus was held in March. |
| | | Virgin Islands | Traditionally, the Virgin Island's district caucuses are held in early March. |