

# Ranked Choice Voting for At-Large Local Election



## MODEL STATUTORY LANGUAGE

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### An Act Relating to the Election of City Council Members At-Large by Ranked Choice Voting

#### Section 1: ELECTIONS AT-LARGE BY RANKED CHOICE VOTING

All members of the city council shall, at each regular municipal election, be elected at-large for terms of four years each by ranked choice voting as described in Section 3 of this Act and shall serve until their successors are qualified.

#### Section 2: RANKED CHOICE VOTING BALLOT

The ballot for election of members of the city council shall allow voters to rank candidates in order of preference. Additionally, it shall meet the following specifications:

- (a) The ballot must be simple and easy to understand;
- (b) the ballot must allow voters to rank write-in candidates. A voter may include no more than three write-in candidates among that voter's ranked choices;
- (c) if feasible, ballots must be designed so that a voter may mark a first choice in the same manner as that for elections not by ranked choice voting; and
- (d) instructions on the ballot must conform substantially to the following specifications, subject to usability testing and modification based on ballot design and voting system: "Vote by indicating your first-choice candidate and ranking additional candidates in order of preference. Indicate your first choice by marking the number "1" beside a candidate's name, your second choice by marking the number "2" beside a candidate's name, your third choice by marking the number "3" beside a candidate's name, and so on. Rank as many choices as you wish. Indicating a second or later preference will not count against your first choice. Do not skip numbers, and do not mark the same number beside more than one candidate."

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### Section 3: RANKED CHOICE VOTING TABULATION

In any election conducted by ranked choice voting, each valid vote cast shall be initially counted as one vote for whichever candidate is ranked highest. The election threshold must be calculated and publicly declared. Tabulation then proceeds in rounds. Each round must proceed sequentially as follows:

1. The number of votes for each continuing candidate and the total number of exhausted ballots must be counted. If the number of continuing candidates whose vote totals equal or exceed the election threshold are equal to the number of seats remaining to be filled, those candidates are elected and the tabulation is complete. If the number of continuing candidates is equal to or less than the number of seats remaining to be filled, then all continuing candidates are elected and the tabulation is complete. Otherwise, the tabulation continues to clause (2).
2. Surplus votes for any candidates whose vote totals are equal to or greater than the election threshold must be calculated. After any surplus votes are calculated (but not yet transferred), all candidates for whom it is mathematically impossible to be elected must be defeated by batch elimination. If any candidates are defeated by batch elimination, votes for the defeated candidate must be recounted as votes for each ballot's next-ranked continuing candidate, and a new round begins with clause (1). If no candidate can be defeated for this reason, the tabulation continues to clause (3).
3. If any candidates have vote totals that reach or exceed the election threshold, the candidate with the largest surplus is declared elected. If that candidate has a surplus, the transfer value of each vote cast for that candidate must be calculated. Votes for that candidate must be recounted, at their new transfer value, for each ballot's next-ranked continuing candidate, and a new round begins with clause (1). If no candidate has a surplus, the tabulation continues to clause (4).
4. The candidate with the fewest votes is defeated. Votes for the defeated candidate must be recounted for each ballot's next-ranked continuing candidate, and a new round begins with clause (1).

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### Section 4: DEFINITIONS

For the purposes of this Act, the following terms have the following meanings:

1. "Batch elimination" means a simultaneous defeat of multiple continuing candidates that have no mathematical chance of being elected.
2. "Continuing candidate" means any candidate that has not been defeated or elected.
3. "Election threshold" means the number of votes sufficient for a candidate to be elected. The election threshold is equal to the total valid votes cast, divided by the sum of one plus the number of offices to be filled, and adding one to that quotient, disregarding any fractions.
4. "Exhausted ballot" means a ballot that can no longer be counted for any candidate for one or more of the following reasons:
  - a. It should count for its next-ranked continuing candidate, but it does not rank any more continuing candidates;
  - b. its highest continuing ranking contains an overvote; or
  - c. it includes two or more skipped rankings prior to its highest continuing ranking.
5. "Highest continuing ranking" means the highest ranking for any continuing candidate.
6. "Mathematically impossible to be elected" means either:
  - a. The candidate cannot be elected because the candidate's current vote total, plus all surplus votes plus all votes of candidates with fewer votes would not be enough to surpass the candidate with the next higher vote total; or
  - b. the candidate has a lower current vote total than a candidate who is described by clause (a).
7. "Overvote" means a voter has ranked more than one candidate at the same ranking.
8. "Ranked choice voting" means an election method in which voters rank candidates in order of choice and votes are tabulated by the procedures described in Section 3 of this Act.
9. "Ranking" means the number assigned by a voter to a candidate to express the voter's preference for that candidate. A ranking of "1" is the highest ranking followed by "2" and then "3" and so on.
10. "Round" means an instance of the sequence of voting tabulation beginning with clause (1) of Section 3 of this Act.

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11. "Skipped ranking" means a voter has left a ranking blank and ranks a candidate at a subsequent ranking.
12. "Surplus" means the difference between a candidate's vote total and the election threshold.
13. "Surplus fraction" means the number equal to a candidate's surplus divided by that candidate's vote total, calculated to four decimal places, ignoring any remainder.
14. "Transfer value" means the fraction of a vote that a ballot will contribute to its highest continuing ranking after a higher ranked candidate has been declared elected. The transfer value of a vote is calculated by multiplying the surplus fraction of the elected candidate by the vote's current value, calculated to four decimal places, ignoring any remainder.

### Section 5: SEVERABILITY CLAUSE

If any part of this Act is declared unconstitutional by a court of competent jurisdiction, the remaining parts shall survive in full force and effect. If a conflict arises between this Act and any other provision of law, the policies and purposes of this Act shall govern.

### Section 6: EFFECTIVE DATE

This Act shall go into effect the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.