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## Local Government Committee

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### HB 2202

**Brief Description:** Allowing ranked choice voting by cities and local taxing districts.

**Sponsors:** Representatives Curtis, Simpson, Seaquist, Moeller and Lantz.

#### Brief Summary of Bill

- Allows qualifying local governments to adopt a ranked choice voting system (also known as "instant runoff voting") for the election of nonpartisan candidates following the adoption of a charter amendment.

**Hearing Date:** 2/22/07

**Staff:** Jessica Nowakowski (786-7291).

#### Background:

##### County Government

The Washington Constitution (Constitution) allows for two forms of county government in this state: the commission form; and the "home rule" charter form. The Constitution requires that all non-charter counties be governed by a board of county commissioners. A board of county commissioners share administrative and legislative functions with other independently elected county officials, including an auditor, clerk, treasurer, sheriff, assessor, and coroner.

Article XI, Section 4 of the Constitution was amended in 1948 to allow a county to adopt a "home rule" charter that allows voters to create their own form of county government, subject to certain requirements. Within the limits prescribed by the Constitution, counties that adopt charters may *appoint* officers to perform the various governmental functions that are performed by *elected* officials in those counties that retain the commission form. Since 1948, five counties have elected to adopt "home rule" charters: Clallam (1979); King (1969); Pierce (1981); Snohomish (1980); and Whatcom (1979).

##### Ranked Voting System

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

"Ranked choice voting" or "instant runoff voting" is an election method requiring candidates to receive a majority, rather than a plurality, of the votes cast in a particular race. While requirements vary, under a ranked voting system, voters may select more than one candidate for a single race and rank candidates in a preferential order. A candidate receiving a majority of "first choice" votes is elected. If no candidate receives a majority of the votes cast in the race after the first counting stage, the "second choice" designations indicated on the ballots cast for the candidate receiving the fewest votes become additional votes for the candidates indicated on those ballot choices. This process generally continues until a candidate receives a majority of the votes cast for the position or until all but one candidate has been eliminated.

Provisions for ranked choice voting do not exist in Washington law.

Present statute provides that city and town primary elections are nonpartisan and are held when more than two candidates file for the same position. Generally, if a primary was held for a nonpartisan office, the general election ballot must contain the names of the two candidates receiving the highest vote totals, listed in that order. If no primary was held, the order of the candidate names for the general election ballot is determined by a lot drawing by the county filing officer. The candidate receiving the highest vote total in the general election is elected to the office.

#### ***Instant Runoff Voting Pilot Project***

During the 2005 Legislative Session, HB 1447 was enacted establishing a five-year instant runoff voting (IRV) pilot project conducted by the Office of the Secretary of State (OSOS) to examine the use of IRV as a local option for nonpartisan offices in any qualifying first-class city. As a result, qualifying cities are allowed to adopt IRV for the election of nonpartisan candidates. For the purposes of the pilot project, a qualifying city must:

- be classified as a first class city;
- have a population greater than 140,000 and less than 200,000; and
- have demonstrated support for IRV by approving a city charter amendment authorizing the city council to use IRV for the election of city officers.

The pilot project and related amendatory provisions relating to HB 1447 expires on July 1, 2013.

#### **Summary of Bill:**

Following the adoption of a charter amendment, local governments may utilize a ranked choice voting system for the election of nonpartisan candidates. If used, the ranked voting system will eliminate the need for a primary election.

"Ranked Choice Voting" is defined as a system of voting whereby voters may rank three or more candidates for the same office in order of preference. Voters must indicate by preference a first choice, a second choice, a third choice, and so on for as many candidates as are on the ballot. If no candidate receives a majority of first choice votes, the winner of the election is determined by the method of giving effect to votes as provided for in the ranked choice voting system adopted by the local government.

Primaries for all nonpartisan offices in local governments choosing to use a ranked choice voting system are replaced with general elections conducted according to specified ranked choice voting system procedures.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.