
State Government Committee

HB 2698

Brief Description: Implementing Instant Runoff Voting.

Sponsors: Representatives Dunshee and Jarrett.

Brief Summary of Bill

- Adopts an instant runoff voting system in which voters may rank their choices for elected office. In the case of a tie, the candidate receiving the least votes is eliminated and the second choice votes made on ballots for the eliminated candidate become votes for the second choice candidate on each of those ballots. The process continues until one candidate receives a majority of votes.

Hearing Date: 2/7/02

Staff: Marsha Reilly (786-7135).

Background:

By law, recounts for candidates of any office at any primary or election are mandatory if the difference in the number of votes between the two candidates with the most votes for the same office is not more than one-half of one percent of the total votes cast for both candidates. If the difference in votes is less than one hundred-fifty votes and also less than one-fourth of one percent of the total number of votes cast for both candidates, the votes shall be recounted manually or by an alternative method agreed upon by the affected candidates (RCW 29.64.015).

If an election of any federal, state, county, city, district, or precinct officer results in a tie, the official empowered by state law to issue the certificate of election shall give notice to the persons having the highest and equal number of votes to attend proceedings to decide by lot which of the persons shall be declared duly elected (RCW 29.62.080).

Summary of Bill:

An instant runoff voting system is adopted in Washington. Vote counting proceeds as follows.

Ballot Counting

In the first stage, all first choice votes are counted and the candidate receiving the majority of votes is elected and the counting ends. However, if no candidate receives a majority of votes, second stage counting begins.

In the second stage, the last-place candidate is eliminated, and the second choice votes made on ballots for the eliminated candidate become votes for the second choice candidate on each of those ballots.

If no candidate receives a majority at the second stage, then the last-place candidate among the remaining candidates is eliminated, and the next choices made on ballots for an eliminated candidate become votes for the candidate indicated by that choice. A candidate who has a majority of votes at that stage is elected. The counting process continues in this manner until a candidate is elected.

Conditions and Limitations

- Exhausted ballots mean that there are no choices for remaining candidates. Once a ballot is exhausted, it is disregarded and no longer counted.
- A ballot giving the same ranking to more than one candidate for the same office is exhausted when the duplicate choice is reached and no vote is recorded for any candidate who received a duplicate choice.
- If a ballot choice skips a ranking, the the next ranking below the skipped choice is moved up and counted as though it were the rank of the skipped choice.
- Ties between candidates occurring at any stage are resolved according to the general election laws of the state.
- Only the first five choices for any one office on a ballot are counted.
- Voters may write in one candidate for each office and assign a ranking to the write-in candidate.
- If all the ballots cast do not contain sufficient effective second and lower choices for a particular office so that at the last stage of counting no candidate has achieved a majority, then the candidate with the most votes credited to him or her is elected.
- No votes may be counted for a candidate who has been eliminated, no matter how many second and lower ranked choices might otherwise have become votes in a later stage.

Applicability

Instant runoff voting applies to elections for the Governor and all other statewide elected officials; members of the state legislature; judges of the Supreme Court, Court of Appeals, the Superior Courts, and District Courts of the state; president and vice president of the United States; and members of the U.S. Senate and House of Representatives.

It applies to and governs voting in all general elections where three or more candidates are running for the same office and all general elections for offices of county, city, town, special purpose district, school district, port district, or any other local governmental unit or subdivision unless the local governmental unit opts out of this system by appropriate action of its governing body.

Ballot Specifications and Directions

Ballots should be simple and easy to understand and sample ballots illustrating voting procedures must be posted in or near the voting booth and included in the instruction packet of absentee ballots. Specific directions will be given as follows:

"You may vote for candidates for each office in order of preference. Indicate your first choice by marking the number "1" beside a candidate's name (or by marking in the column labeled "First Choice"), your second choice by marking the number "2" (or by marking in the column labeled "Second Choice"), your third choice by the number "3" (or marking the "Third Choice" column) and so on, for as many or as few choices as you wish from one up to a total of five. You are under no obligation to rank more than one candidate for each office, but ranking additional candidates will not affect your first-choice candidate. Do not mark the same number beside more than one candidate (or put more than one mark in each column for the office you are voting on) per office. Do not skip numbers."

Voting Devices and Counting Methods

Election officials of the state may provide for the use of electronic, computerized, or other devices for marking, sorting, and counting ballots and tabulating results. Design and form of the ballots, directions to voters, and details regarding marking, sorting, invalidating, and retaining of ballots and counting of votes.

Election officials shall provide a ballot applicable to IRV.

Election Statutes

Statutes relating to elections are construed consistent with instant runoff voting. A statute that refers to "votes" in an election are construed to be interpreted according to instant runoff voting procedures.

Rulemaking Authority: No express authority.

Appropriation: None.

Fiscal Note: Nor requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.