


Councilmember David Grosso

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Grosso introduced the following bill, which was referred to the Committee on _____.

To provide for the election of the Mayor, Members of Council, and the Attorney General using instant runoff voting, to require that District voting systems be compatible with an instant runoff ballot system, and setting a date and conditions for implementation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Instant Runoff Voting Amendment Act of 2014”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Instant runoff voting,” also called “ranked choice voting,” means a method of casting and tabulating votes whereby the voters rank candidates according to the order of their choice and counting proceeds in rounds in which candidates are eliminated. In every round, each ballot is counted as one vote for the highest ranked advancing candidate.

(2) “Continuing candidate” means a candidate who has not been eliminated.

(3) “Continuing ballot” means a ballot that is not deemed an exhausted ballot.

(4) “Exhausted ballot” means a ballot that does not rank any continuing candidate, contains an overvote at the highest continuing ranking or contains two or more sequential skipped rankings before its highest continuing ranking.

1 Sec. 3. Instant Runoff Voting.

2 Chapter 10 of Title 1 of the District of Columbia Official Code is amended by adding the
3 new section 1-1001.08(b) to read as follows:

4 “1-1001.08(b). Instant Runoff Elections.

5 “(a) The Mayor, Attorney General, Chairman and members of the Council shall be
6 elected using a ranked choice, or “instant runoff” ballot in both the primary and in the general
7 election.

8 “(b) In each primary and general election for the office of Mayor, Attorney General,
9 Chairman and member of the Council:

10 “(1) The ballot shall allow voters to rank candidates in order of preference equal
11 to the total number of candidates for each office; provided, however if the voting system, vote
12 tabulation system or similar or related equipment used by the District cannot feasibly
13 accommodate choices equal to the total number of candidates running for office, then the Board
14 of Elections may limit the number of choices a voter may rank to no fewer than three. The ballot
15 shall allow voters to rank a write-in candidate. A voter may include no more than one write-in
16 candidate among that voter’s ranked choices for each office.

17 “(2) For election to a single office, tabulation proceeds in rounds and the
18 following procedure is used. In each round, each continuing ballot must be counted as one vote
19 for its highest ranked continuing candidate. If more than two continuing candidates receive votes
20 in a round, the candidate with the fewest votes is eliminated, and a new round begins. If two or
21 fewer continuing candidates receive votes in a round, the candidate with the most votes is
22 elected.

1 “(3) For election to more than one office, the following procedure is used.
2 Tabulation proceeds in rounds. In each round, each continuing ballot must be counted as one
3 vote for its highest ranked continuing candidate. If the number of continuing candidates is
4 greater than one more than the number of offices to be elected, the candidate with the fewest
5 votes is eliminated, and a new round begins. If the number of continuing candidates is equal to or
6 less than one more than the number of offices to be elected, the candidates with the most votes
7 are elected.

8 “(4) Optionally where appropriate, during the Board’s tabulation of results, two or
9 more candidates may be eliminated simultaneously by batch elimination. Batch elimination may
10 only occur if in any round there is a candidate who’s vote total plus the vote totals of all
11 candidates with an equal number or fewer votes is less than the vote total of the candidate with
12 the next higher vote total. Under those conditions, then that candidate and all candidates with an
13 equal number or fewer votes in the current round may be simultaneously eliminated.

14 “(5) If all the choices indicated on a voter’s ballot have been eliminated, that
15 ballot shall be deemed an exhausted ballot.

16 “(6) If a ranked-choice ballot gives equal rank to two or more candidates, the
17 ballot shall be declared an exhausted ballot when such multiple rankings are reached.

18 “(7) If a voter casts a ranked-choice ballot but skips a rank, the voter’s vote shall
19 be added to the totals of that voter’s next ranked choice.

20 “(8) A tie between two or more candidates shall be resolved pursuant to D.C.
21 Official Code § 1-1001.10(c).

22 “(c) The ballot must be simple and easy to understand and allow a voter to rank
23 candidates for an office in order of choice. If feasible, ballots must be designed so that a voter

1 may mark that voter's first choices in the same manner as that for offices not elected by instant
2 runoff voting. Instructions on the ballot must conform substantially to the following
3 specifications, subject to usability testing and modification based on ballot design and voting
4 machine: "Vote by indicating your first-choice candidate and ranking additional candidates in
5 order of preference. Indicate your first choice by marking the number "1" beside a candidate's
6 name, your 2nd choice by marking the number "2" beside a candidate's name, your 3rd choice
7 by marking the number "3" beside a candidate's name and so on. Rank as many choices as you
8 wish. Indicating 2nd and later preferences will not count against your first choice. Do not skip
9 numbers, and do not mark the same number beside more than one candidate."

10 "(d) The Board of Election shall conduct a voter education campaign to familiarize voters
11 with instant runoff voting. Sample ballots illustrating "instant runoff" voting procedures shall be
12 posted in or near the voting booth, and shall be included in the instruction packed for absentee
13 ballots.

14 "(e) Any voting system, vote tabulation system, or similar or related equipment acquired
15 by the District shall be capable to administer instant runoff voting without further modifications.

16 "(f) Instant runoff voting shall be used for the primary municipal election in 2016 and all
17 subsequent elections. If the Board of Elections certifies to the Mayor and the Council no later
18 than November 1, 2015 that the Board will not be ready to implement ranked-choice balloting in
19 2016, then the District shall begin using ranked-choice or "instant runoff" balloting at the
20 immediate next municipal election, including special elections."

21 Sec. 5. Effect on Rights of Political Parties.

22 For all statutory and charter provisions in the District pertaining to the rights of political
23 parties, the number of votes cast for a party's candidate for an office elected by a ranked choice

1 or instant runoff method is the number of votes credited to that candidate after the initial round
2 of counting.

3 Sec. 6. Rules.

4 Within 120 days of the effective date of this act the Mayor shall, pursuant to title I of the
5 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;
6 D.C. Official Code § 2-501 *et seq.*), issue rules to implement the provisions of this act.

7 Sec. 7. Fiscal impact statement.

8 The Council adopts the fiscal impact statement in the committee report as the
9 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule
10 Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

11 Sec. 8. Effective date.

12 This act shall take effect following approval by the Mayor (or in the event of veto by the
13 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
14 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
15 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
16 Columbia Register.