HB 3509 -1   STAFF MEASURE SUMMARY

House Committee On Rules

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Sub-Referral To:	Joint Committee On Ways and Means
Meeting Dates:	3/16

WHAT THE MEASURE DOES:

Establishes ranked choice voting (RCV) as voting method to determine nomination for and election to Commissioner of Bureau of Labor and Industries, Judge of the Supreme Court, Court of Appeals, circuit court, or Oregon Tax Court, city or county office, metropolitan service district office, and any other nonpartisan office, except where home rule charter applies. Allows RCV to be used to determine nomination for President and Vice President of the United States, United State Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state senator, and state representative. Identifies manner of determining winner of nomination or election using RCV, including conducting successive rounds of instant runoff retabulation. Allows Secretary of State (SOS) to adopt rules. Repeals statutes related to nomination to nonpartisan office and makes offices of Judge of the Supreme Court, Court of Appeals, circuit court, or Oregon Tax Court, city or county office, metropolitan service district office, and any other nonpartisan office elected at general election using RCV. Becomes operative and applies to elections and nominations occurring on or after January 1, 2025.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Establishes RCV as voting method used to determine election to office of President and Vice President of the United States, United State Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state senator, and state representative.

BACKGROUND:

Ranked choice voting (RCV) requires voters to rank candidates by preference instead of voting for just one person. A candidate wins by receiving a majority of the first-preference votes cast. When there is no majority winner, this method allows for an instant runoff. The candidate with the lowest number of first-preference votes is eliminated and the second preference votes from those ballots are allocated to the remaining candidates and tabulated. This process continues until a candidate achieves a majority of the votes cast.

Two states, one county, and 52 cities, including San Francisco and New York, have adopted RCV for elections. In 2016, Maine became the first state to authorize RCV for statewide races, using it in 2018 for all state and federal primaries and general congressional elections. In 2020, voters in Alaska approved a measure to replace Alaska's partisan primary with a "top-four" primary system and implement RCV for the general election. Alaska voters used RCV for the first time on August 16, 2022 for a special U.S. House election. In Oregon, RCV was approved by Benton County voters in November 2016 and was first used in the November 2020 general election for county commissioner.

Six other states (Alabama, Arkansas, Georgia, Louisiana, Mississippi, and South Carolina) allow voters under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to use RCV to vote an instant runoff ballot for an original election where a runoff election may be held shortly afterwards, and the ability of UOCAVA voters to receive, vote, and return a ballot by the run-off date is not guaranteed.

House Bill 3509 establishes RCV as voting method to determine nomination for and election to Commissioner of Bureau of Labor and Industries, Judge of the Supreme Court, Court of Appeals, circuit court, or Oregon Tax Court, city or county office, metropolitan service district office, and any other nonpartisan office, except where home rule charter applies. HB 3509 also allows RCV to be used to determine nomination for President and Vice President of the United States, United State Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state senator, and state representative.