

## Instant Runoff Ranked Choice Voting Charter Amendment Text

(Language ~~stricken~~ is deleted; underlined language is new.)

### CHAPTER IV. COUNTY OFFICERS IN GENERAL

- 4.10.           **Qualifications.**
- 4.20.           **Terms Of Office; Successive Terms; Running For Office In Midterm.**
- 4.30.           **Compensation Of The Chair, Commissioners, Sheriff and District Attorney.**
- 4.40.           **Vacancies -- Causes.**
- 4.50.           **Vacancies -- Filling.**

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#### **4.50. Vacancies -- Filling.**

(1) If a vacancy occurs in an elective office of the county and the term of office expires:

(a) One year or more after the vacancy occurs, then a person shall be elected using instant runoff ranked choice voting, as described in section 11.15, at the next May or November election date to fill the vacancy for the remainder of the term of office.

(i) If a vacancy occurs before instant runoff ranked choice voting is implemented under section 11.15, then the election to fill the vacancy will be conducted under the terms of this subsection 4.50(1)(a)(i). If no candidate receives a majority of votes cast at that election, the board of county commissioners shall call for a special election in which the names of the two candidates receiving the highest number of votes shall appear on the ballot. The candidate receiving a majority of votes cast will be deemed elected to fill the balance of the unexpired term.

(ii) Subsections 4.50(1)(a)(i) and (ii) are repealed when instant runoff ranked choice voting is implemented under section 11.15.

(b) Less than one year but 90 days or more after the vacancy occurs, then the board of county commissioners shall appoint a person to fill the vacancy for the remainder of the term of office.

(c) Less than 90 days after the vacancy occurs, the vacancy shall not be filled.

(2) For purposes of this section 4.50, "term of office" means the term of office of the last person elected to the office which is vacant.

(3) In the event of a vacancy in an elective office, the board shall by ordinance prescribe procedures to designate an interim occupant of the office. The person so designated shall serve as acting chair, commissioner, sheriff or auditor, as the case may be, until the office is filled by election or appointment, as appropriate under section 4.50(1).

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## CHAPTER XI. ELECTIONS

- 11.15. Election Of Officers.
- 11.20. Tie Votes.
- 11.30. Initiative And Referendum.
- 11.40. Recall.
- 11.50. Charter Amendment And Repeal.
- 11.60. Campaign Finance.

### 11.15. Election Of Officers.

(1) All elective county offices shall be nonpartisan.

(2) The manner of nominating and electing officers shall be the same as that established by state law for nominating and electing circuit court judges, except as this charter provides to the contrary.

(3) Petitions or declarations of candidacy shall contain no reference to any political party ballot or to the political party affiliation of the candidate.

(4) No later than 2026, and except as provided in section 4.50 for elections to fill a vacancy, all elective county officers will be elected at the general election using instant runoff ranked choice voting.

(a) Ranked choice voting means an election method in which electors rank candidates for an office in order of electors' preferences and ballots may be counted in rounds.

(b) Instant runoff voting elects the candidate who has a majority of the vote after the initial round of counting based on the number of first rankings each candidate receives. If no candidate receives a majority of the vote in the initial round of counting, ballots are counted in subsequent rounds in which:

(i) Candidates retain the number of votes counted for them in the first and any subsequent rounds that already occurred; and

(ii) The candidate having the fewest votes in each round is eliminated and ballots that had been counted as votes for the eliminated candidate instead are counted as votes for the candidate who is ranked next on those ballots; and

(iii) The process of eliminating candidates and transferring votes for eliminated candidates to the next-ranked candidates on those ballots repeats until a candidate has a majority of the vote and is elected.

(5) Until instant runoff ranked choice voting is implemented, the names of all candidates shall appear on the primary election ballot. If a candidate receives a majority of the votes cast for a position at the primary election; the candidate shall be elected to the position. If no candidate for a position at a primary election receives a majority of the votes cast for the position, the two candidates receiving the highest number of votes shall be declared nominees and their names shall appear on the general election ballot. This subsection 11.15(5) is repealed when instant runoff ranked choice voting is implemented.

#### **11.20. Tie Votes.**

In the event of a tie vote for candidates for an elective office of the county, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the board of county commissioners.