

Alternative Voting Methods in the United States



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Introduction

In the United States, elections are administered at the state and local level. While election procedures vary among jurisdictions, voters typically must select a single candidate in each race. Then, the candidate who receives a plurality of the votes — more votes than any other candidate in the race — is the winner.

This method of single-winner, plurality voting is common, but it is not constitutionally required. State constitutions may address voting methods or be silent on the options available in the jurisdiction. Throughout American history, some jurisdictions have experimented with other ways of voting. Although the terminology has evolved over time, voting methods that differ from the traditional plurality system are commonly referred to as alternative voting methods.

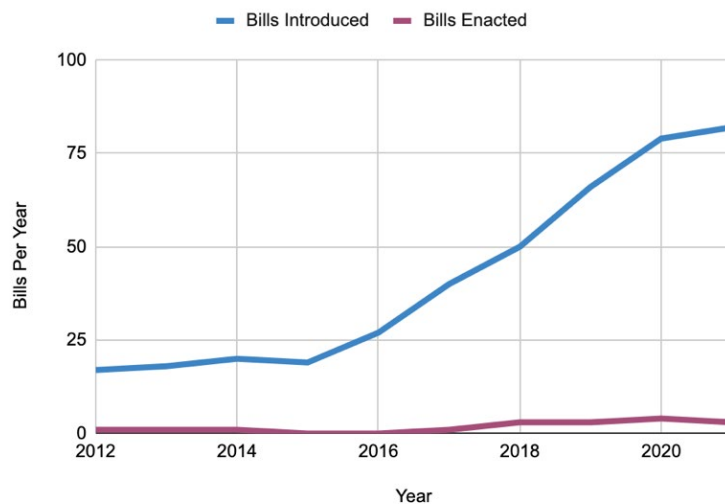
The popularity of alternative voting methods has fluctuated over the last 100 years.¹

Recently, legislative interest in alternative voting methods has increased significantly, leading to an increase in alternative voting methods used in federal, state, and local elections in jurisdictions across the country.

As with any change in election administration, the insights and experiences of other jurisdictions can be beneficial when voters and lawmakers are considering implementing new voting methods.

The U.S. Election Assistance Commission provides resources for voters, election administrators, and lawmakers. This report provides information on the use of alternative voting methods across the country, including the different methods that are currently being considered or used,

Bills Pertaining to Alternative Voting Methods Introduced in All State Legislatures By Year



Based on data compiled by the National Conference of State Legislatures: <https://www.ncsl.org/research/elections-and-campaigns/elections-legislation-database.aspx>

¹ "The History of IRV." FairVote Archives. Fairvote America. 27 Nov. 2009.

the ways that alternative voting methods may be adopted, special uses for alternative voting methods, administrative considerations, and case studies of jurisdictions that have conducted elections using alternative voting methods.

Alternative Voting Methods

There are over 8,000 election jurisdictions in the United States. Currently, more than 200 of those jurisdictions use an alternative voting method for some or all of their elections.² The following section outlines the categories of alternative voting methods that are in use today, though jurisdictions may use their own variation.

Approval Voting Sample Ballot from St. Louis, Missouri.

Source: <https://www.stlouis-mo.gov/government/departments/board-election-commissioners/documents/upload/Mar2021AllRacesBallot2.pdf>

Approval Voting

Rather than choosing just one candidate to vote for in a contest, approval voting allows voters to vote for as many candidates as they like or “approve” of. Then, the total number of “approvals” for each candidate are counted, and the candidate with the most “approvals” wins. While this system is relatively rare in public elections, approval voting has a long history. Notably, approval voting was used during papal elections for a period of several hundred years, dating back to the 13th Century.³ In the modern era, professional organizations, including the American Mathematical Society, use approval voting for board elections.⁴

²Drew DeSilver, Carrie Blazina, Janakee Chavda, and Rebecca Leppert. “More U.S. locations experimenting with alternative voting systems.” <https://www.pewresearch.org/fact-tank/2021/06/29/more-u-s-locations-experimenting-with-alternative-voting-systems/> Accessed 15 Mar. 2023.

³ Colomer, Josep M., and Iain McLean. “Electing Popes: Approval Balloting and Qualified-Majority Rule.” *The Journal of Interdisciplinary History*, vol. 29, no. 1, 1998, pp. 1–22. JSTOR, <http://www.jstor.org/stable/205972>. Accessed 14 Mar. 2023.

⁴ Brams, Steven J., and Fishburn, Peter C., “Going from Theory to Practice: The Mixed Success of Approval Voting.” *American Political Science Association*.

Approval voting is currently used in Fargo, North Dakota and St. Louis, Missouri. Voters in Seattle, Washington rejected a ballot measure to adopt approval voting in November 2022; however, a proposal approving ranked choice voting was approved during the same election. In addition, four states—Colorado, Maryland, Oregon, and Utah—have considered permitting or adopting approval voting at some point in the last decade.

Cumulative Voting

In most elections, voters can only pick one candidate to vote for in each contest. In multi-seat elections, voters are generally given the option to vote for as many candidates as there are seats up for election. However, they can only vote for a candidate once. Cumulative voting gives voters in multi-seat elections the option to put all of their votes toward a single candidate or distribute them however they see fit.

	★	★	★	🦅	🦅	🦅	🦅	🤝	🤝	🤝	🤝	WRITE-IN ESCRIBALO	
	DEMOCRAT	DEMOCRAT	DEMOCRAT	REPUBLICAN	REPUBLICAN	REPUBLICAN	REPUBLICAN	PC TOGETHER	PC TOGETHER	PC TOGETHER	PC TOGETHER		
TRUSTEES (You Have Six Total Votes / Cast up to Six Votes for a Candidate) SINDICOS (Tiene 6 Votos totales / emita hasta 6 votos para un candidato)	★ 1A 0	★ 2A 0	★ 3A 0	🦅 4A 0	🦅 5A 0	🦅 6A 0	🦅 7A 0	🤝 8A 0	🤝 9A 0	🤝 10A 0	🤝 11A 0	WRITE-IN ESCRIBALO 0	
	DEMOCRAT Jean GRANGENIS-THOMAS	DEMOCRAT John ALLEN	DEMOCRAT Philip DORAZIO	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	
	★ 1B 0	★ 2B 0	★ 3B 0	🦅 4B 0	🦅 5B 0	🦅 6B 0	🦅 7B 0	🤝 8B 0	🤝 9B 0	🤝 10B 0	🤝 11B 0	WRITE-IN ESCRIBALO 0	
	DEMOCRAT Jean GRANGENIS-THOMAS	DEMOCRAT John ALLEN	DEMOCRAT Philip DORAZIO	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	
	★ 1C 0	★ 2C 0	★ 3C 0	🦅 4C 0	🦅 5C 0	🦅 6C 0	🦅 7C 0	🤝 8C 0	🤝 9C 0	🤝 10C 0	🤝 11C 0	WRITE-IN ESCRIBALO 0	
	DEMOCRAT Jean GRANGENIS-THOMAS	DEMOCRAT John ALLEN	DEMOCRAT Philip DORAZIO	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	
	★ 1D 0	★ 2D 0	★ 3D 0	🦅 4D 0	🦅 5D 0	🦅 6D 0	🦅 7D 0	🤝 8D 0	🤝 9D 0	🤝 10D 0	🤝 11D 0	WRITE-IN ESCRIBALO 0	
	DEMOCRAT Jean GRANGENIS-THOMAS	DEMOCRAT John ALLEN	DEMOCRAT Philip DORAZIO	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	
	★ 1E 0	★ 2E 0	★ 3E 0	🦅 4E 0	🦅 5E 0	🦅 6E 0	🦅 7E 0	🤝 8E 0	🤝 9E 0	🤝 10E 0	🤝 11E 0	WRITE-IN ESCRIBALO 0	
	DEMOCRAT Jean GRANGENIS-THOMAS	DEMOCRAT John ALLEN	DEMOCRAT Philip DORAZIO	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	
	★ 1F 0	★ 2F 0	★ 3F 0	🦅 4F 0	🦅 5F 0	🦅 6F 0	🦅 7F 0	🤝 8F 0	🤝 9F 0	🤝 10F 0	🤝 11F 0	WRITE-IN ESCRIBALO 0	
	DEMOCRAT Jean GRANGENIS-THOMAS	DEMOCRAT John ALLEN	DEMOCRAT Philip DORAZIO	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	REPUBLICAN Juliana ALZATE	REPUBLICAN Joseph DEVITA	REPUBLICAN Joseph CARVIN	REPUBLICAN Joseph CARVIN	REPUBLICAN Bart DIDDEN	

Cumulative Voting Sample Ballot Excerpt from Port Chester, New York. Source: <https://portchestervotes.com/voting-in-pc>

Cumulative voting is currently used in dozens of jurisdictions across the United States and is often adopted in response to Voting Rights Act challenges and resulting agreements.

Cumulative voting was used to elect the Illinois House of Representatives from 1870 to 1980. In the private sector, several states require the use of cumulative voting to elect corporate directors.

Limited Voting

In contrast to cumulative voting and traditional multi-seat elections, limited voting gives voters **fewer** votes than there are seats available. For example, a voter might be allowed to select only 3 candidates when there are 5 seats to be filled. The purpose of limited voting is to prevent the same majority from controlling all of the seats. Like cumulative voting, it is sometimes adopted

in response to Voting Rights Act challenges. Limited voting is currently used for elections in dozens of jurisdictions across the United States, including many parts of Alabama, Connecticut, Pennsylvania, and North Carolina.

Top-2 and Top-4 Primaries

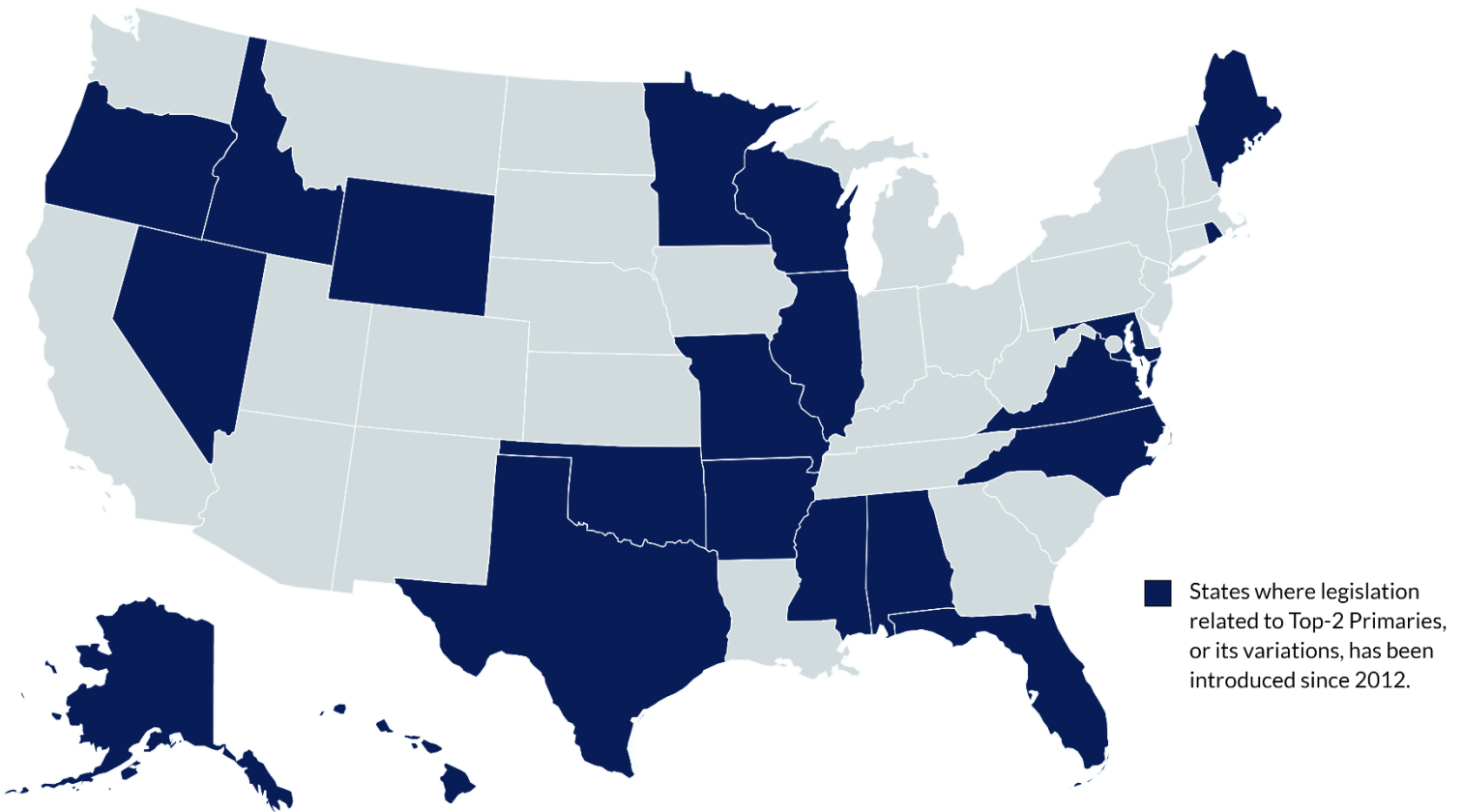
Many general elections are preceded by partisan primary elections, where voters from each party choose a candidate to nominate, and the nominees from each party proceed to the general election. A top-2 primary system eliminates partisan primary elections and replaces them with a single, unified primary in which all candidates can run and all voters can participate. Then, the two candidates with the most votes advance to the general election regardless of their party affiliation. Under this system, it is possible for two candidates of the same party to advance to the general election. A top-4 primary system is similar, except that the four candidates with the most votes advance to the general election.

Partisan Office Information	Federal - Partisan Office	State - Partisan Offices
<p>READ: Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.</p>	8th Congressional District	2nd Legislative District
<p>Federal - Partisan Office</p> <p>U.S. Senator</p> <p><input type="radio"/> Henry Clay Dennison <i>(Prefers Socialist Workers Party)</i></p> <p><input type="radio"/> Mohammad Hassan Said <i>(Prefers Democratic Party)</i></p> <p><input type="radio"/> John Guenther <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Tiffany Smiley <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Dan Phan Doan <i>(States No Party Preference)</i></p> <p><input type="radio"/> Dr Pano Churchill <i>(Prefers Democratic Party)</i></p> <p><input type="radio"/> Dave Saulibio <i>(Prefers JFK Republican Party)</i></p>	<p>U.S. Representative</p> <p><input type="radio"/> Emet Ward <i>(Prefers Democratic Party)</i></p> <p><input type="radio"/> Kim Schrier <i>(Prefers Democratic Party)</i></p> <p><input type="radio"/> Reagan Dunn <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Matt Larkin <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Dave Chapman <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Ryan Dean Burkett <i>(States No Party Preference)</i></p> <p><input type="radio"/> Justin Greywolf <i>(Prefers Libertarian Party)</i></p> <p><input type="radio"/> Keith Arnold <i>(Prefers Democratic Party)</i></p> <p><input type="radio"/> Patrick Dillon <i>(Prefers Concordia Party)</i></p> <p><input type="radio"/> Jesse Jensen <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Scott Stephenson <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Write-In</p>	<p>State Representative Pos. 1</p> <p><input type="radio"/> Andrew Barkis <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Write-In</p>
		<p>State Representative Pos. 2</p> <p><input type="radio"/> Edward Meer <i>(States No Party Preference)</i></p> <p><input type="radio"/> JT Wilcox <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Write-In</p>
		25th Legislative District
		<p>State Representative Pos. 1</p> <p><input type="radio"/> Kelly Chambers <i>(Prefers Republican Party)</i></p> <p><input type="radio"/> Jamie Smith <i>(Prefers Democratic Party)</i></p>
<p>Vote for <u>one</u> in each contest.</p> <p>If you vote for more than one choice, your vote will not count for that race or measure.</p>		

Excerpt from a Top-2 Primary Sample Ballot in Pierce County, Washington. Source: <https://www.piercecountywa.gov/DocumentCenter/View/115667/Sample-Ballot?bidId=>

A top-2 primary system is currently used for congressional and state-level elections in Washington and California and is also used for elections to the Nebraska state legislature.

Alaska currently uses the top-4 variation for congressional and state executive offices. Top-2 primaries are also used for some local and special elections across the United States. Over the last decade, bills related to top-2 primaries or its variations have been introduced in 21 states, including: Alabama, Alaska, Arkansas, Florida, Hawaii, Idaho, Illinois, Maine, Maryland, Minnesota, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, Oregon, Rhode Island, Texas, Virginia, Wisconsin, and Wyoming.



Ranked Choice Voting

In single-winner plurality elections, voters can only select one candidate and the candidate with the most votes wins, even if they do not have more than 50% of the votes. In a ranked choice

1	1 st Choice Select One	2	2 nd Choice If any, must be different from your 1 st choice	3	3 rd Choice If any, must be different from your 1 st and 2 nd choices
<input type="radio"/>	WEBBER PARK Parks Party	<input checked="" type="radio"/>	WEBBER PARK Parks Party	<input type="radio"/>	WEBBER PARK Parks Party
<input checked="" type="radio"/>	BELTRAMI PARK Parks United	<input type="radio"/>	BELTRAMI PARK Parks United	<input type="radio"/>	BELTRAMI PARK Parks United
<input type="radio"/>	LOWRY PARK Parks United	<input type="radio"/>	LOWRY PARK Parks United	<input type="radio"/>	LOWRY PARK Parks United
<input type="radio"/>	POWDERHORN PARK Parks Party	<input type="radio"/>	POWDERHORN PARK Parks Party	<input checked="" type="radio"/>	POWDERHORN PARK Parks Party

STEP 1: ↑
Choose your top candidate. This is your 1st choice candidate and will be the vote that is considered first.

• **STEP 2:** ↑
• If you have a 2nd choice (not required), you may select another candidate. This must be different from your 1st choice candidate.

• **STEP 3:** ↑
• If you have a 3rd choice (not required), you may choose another selection. This must be different from your 1st and 2nd choices.

Ranked Choice Voting Explainer from Minneapolis, Minnesota. Source: <https://vote.minneapolismn.gov/media/-www-content-assets/documents/RCV-Handout-Landscape-11x8.5.pdf>

voting election, voters can select some or all of the candidates in order of preference, assigning their favorite candidate a 1, their second-favorite candidate a 2, and so on. The results of ranked choice voting elections are determined in rounds. In the first round, election officials count

everyone’s first choice vote only. If a candidate receives more than 50% of the votes, that candidate is declared the winner.

If no candidate reaches a majority, the candidate with the fewest first-choice votes is eliminated. In the next round, each ballot with the eliminated candidate as its first-choice vote is reassigned to that voter’s second-choice candidate. These “rounds” continue until one candidate has more than 50% of the votes and is declared the winner. Ranked choice voting is sometimes referred to as instant-runoff voting because it simulates a runoff election between the top two candidates.

In multi-winner elections, ranked choice voting is known as the single transferable vote (STV). Voters cast their ranked ballots in the same way they would in a single-winner ranked choice voting election. But rather than requiring 50% to win, a different threshold is determined based on the number of seats available. Each candidate who meets the threshold is elected. If a

STV - Preferential Choices										
Rank no more than TEN Choices										
FOUR Candidates to be Elected										
	Rank 1	Rank 2	Rank 3	Rank 4	Rank 5	Rank 6	Rank 7	Rank 8	Rank 9	Rank 10
Candidate 13 <small>Party 13 Occupation 13</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 14 <small>Party 14 Occupation 14</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 15 <small>Party 15 Occupation 15</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 16 <small>Party 16 Occupation 16</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 17 <small>Party 17 Occupation 17</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 18 <small>Party 18 Occupation 18</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 19 <small>Party 19 Occupation 19</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 20 <small>Party 20 Occupation 20</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Candidate 21 <small>Party 21 Occupation 21</small>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

candidate has more votes than they need to be elected, any votes in excess of that threshold are transferred to their next-choice candidates. If more candidates than seats remain, the candidate with the fewest votes is eliminated, and each ballot assigned to that candidate is reassigned to its next choice. These “rounds” continue until all seats are filled by the remaining candidates.

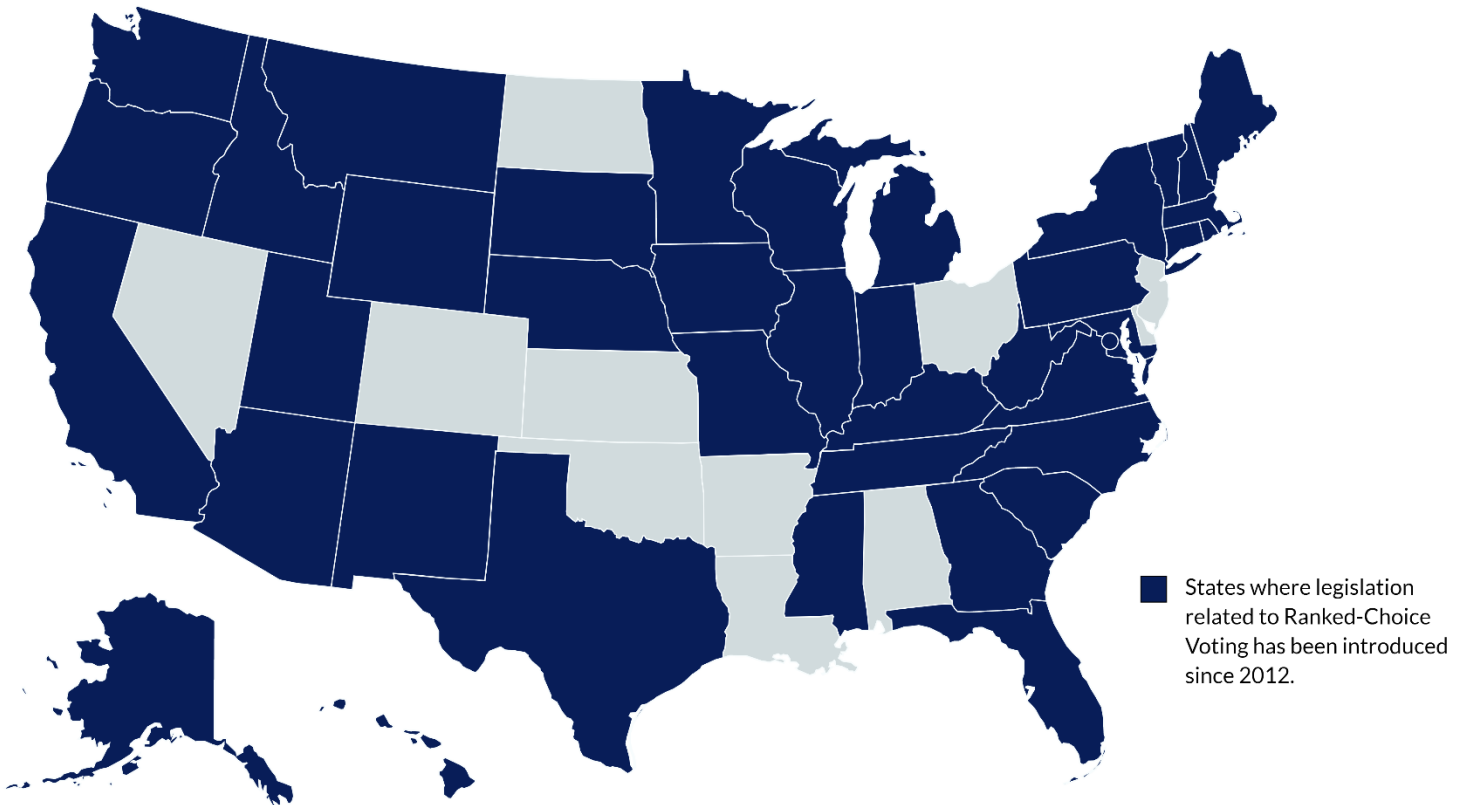
Excerpt from *Single Transferable Vote Sample Ballot from Salt Lake City, Utah*.
Source: <http://www.slcdocs.com/recorder/SampleofRCVBallotTwo.pdf>

There are many variations of ranked choice voting, and it is among the

most widely used alternative voting methods in the United States. Alaska and Maine use ranked choice voting for their state primaries and federal elections. States with runoff elections, including Alabama, Arkansas, Georgia, Louisiana, Mississippi, and South Carolina, currently use ranked choice voting for overseas and military voters. Other states, including Utah and Virginia, provide ranked choice voting as an option that municipalities can use for their elections. Ranked choice voting is also used in local elections across the country, including primary elections in New York City. However, Florida and Tennessee recently banned the use of ranked choice voting.

Over the last decade, bills pertaining to ranked choice voting have been introduced in 39 state legislatures, including: Alaska, Arizona, California, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New

York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming, and the city council of Washington, DC.



STAR Voting

STAR voting, short for “Score then Automatic Runoff” voting, allows voters to score—similar to ranking on a scale of 0-5, with 0 being the least favorite and 5 being the most favorite—each candidate on the ballot. After all ballots are cast, the two candidates with the highest overall “scores” are selected. Then, these two candidates compete in an instant runoff election against each other, and the candidate that is preferred by the most voters wins.

STAR voting is a relatively new alternative voting method. It is not currently used in any jurisdiction, but bills to implement or permit STAR voting have been introduced in Oregon and Utah.

How does STAR Voting work?

STAR VOTING
SCORE - THEN - AUTOMATIC - RUNOFF

- Give your favorite(s) five stars.
- Give your last choice(s) zero stars.
- Show preference order and level of support.
- Equal scores indicate no preference.
- Those left blank receive zero stars.

Score Candidates:	Worst	0	1	2	3	4	Best	5
Abby	0	1	2	3	4	5		
Ben	0	1	2	3	4	5		
Carmen	0	1	2	3	4	5		
DeAndre	0	1	2	3	4	5		
Eric	0	1	2	3	4	5		

The two highest scoring candidates are finalists.
Your vote goes to the the finalist you prefer.

Scoring

The two highest scoring candidates are finalists.

Candidates:	Totals:
Carmen	624,057
Ben	509,742
DeAndre	387,143
Abby	37,708
Eric	2,789

Carmen and Ben advance to the Automatic Runoff.

Runoff

Your vote goes to the finalist you prefer.

Candidates:	Worst	0	1	2	3	4	Best	5
Abby	0	1	2	3	4	5		
Ben	0	1	2	3	4	5		
Carmen	0	1	2	3	4	5		
DeAndre	0	1	2	3	4	5		
Eric	0	1	2	3	4	5		

This vote goes to Carmen because she was scored higher than Ben.

Results

The finalist preferred by the majority wins!

Whether or not your favorite can win, your vote goes to the finalist you preferred!

STAR voting sample ballot and instructions. Source: <https://www.starvoting.org/star>

Special Uses and Applications

Alternative voting methods can be used for all kinds of elections. They can also be used to address specific issues. The following sections outline some of the contexts in which jurisdictions have used alternative voting methods.

More Options for Filling Vacancies

There are many ways to fill vacancies in an elected office, including special elections or appointing a successor. Alternative voting methods can provide additional choices.

Special elections can pose unique challenges under a plurality system: because they are often not preceded by a primary, the field of candidates in a special election may be especially large and the plurality winner may lack the support of most voters. New York City—where a special election with no primary attracted 17 candidates—specifically cited this issue when they adopted ranked choice voting.⁵ This issue also led to the first statewide ranked choice voting election in the United States.

⁵<https://static1.squarespace.com/static/5bfc4cecf7fde7d3719c06/t/5d38b344e1a74300019fb400/1563996998970/DraftFinalReport.pdf>

Case Study: Vacancy Initiates the First Statewide Ranked Choice Voting Election

In 2006, North Carolina adopted ranked choice voting to fill some judicial vacancies after an election in 2004 where a candidate for the state’s Supreme Court had won an 8-year term with a plurality of just 23%. In 2010, a vacancy on the state’s Court of Appeals initiated the first statewide ranked choice voting election in the United States. North Carolina later repealed its ranked choice voting law in 2013, but several statewide ranked choice voting elections have been held since, including a special election in Alaska in 2022.

Some vacancies are filled by appointment rather than a public vote. Some voters find appointments to vacancies for elected office problematic because voters are not involved in the process. Stand-alone special elections can be costly to administer and may see lower turnout, but jurisdictions that use alternative voting methods may have additional options to choose from.

Case Study: Filling Vacancies via Recount in Cambridge, Massachusetts

Members of the city council in Cambridge, Massachusetts are elected using the multi-winner form of ranked choice voting. When there is a vacancy on the city council, Cambridge does not hold a special election or appoint a new member. Instead, the city recounts the ballots from the previous city council election, reassigning votes for the person who created the vacancy to their second choices. The winner of this recount fills the vacancy and serves on the city council for the remainder of the unexpired term.

Eliminating Separate Runoff Elections

Most general or local elections are conducted under a plurality system where the candidate with the most votes wins. However, some jurisdictions require that candidates attain a *majority* of the vote in order to win an election. In this case, if no candidate receives more than 50% of the vote in the first election, a runoff election between the top two candidates is required.

In contests with more than two candidates, it is common that no candidate wins an outright majority in the first election. This is especially true in primary elections with a crowded field of



candidates. Consequently, several states, including Alabama, Georgia, Mississippi, Oklahoma, South Carolina, and Texas, use runoff elections for some or all of their primaries. Other states have a different threshold: North Carolina requires a primary runoff election if no candidate receives more than 30% of the votes, and South Dakota requires at least 35% of the vote to avoid a runoff. Vermont only requires a primary runoff election if there is a tie in the initial election. Georgia and Louisiana use runoffs for their general elections when no candidate receives a majority of the vote. Additionally, runoff elections are used in local races across the country, particularly for offices that are nonpartisan.

Voter turnout is generally lower in runoff elections, and the quick turnaround time and expense of administering a separate election both present challenges for election administrators. Some jurisdictions have chosen to eliminate runoff elections entirely by using ranked choice voting. Ranked choice voting is sometimes referred to as “instant-runoff voting” because it simulates a runoff election between the top two candidates in the last round of counting. Using this method, candidates can win a majority of the votes without a separate election, and voters can express their preferences without having to vote on two separate occasions.

Uniformed and Overseas (UOCAVA) Voters

Under federal law, absentee ballots must be sent to uniformed and overseas (UOCAVA) voters at least 45 days in advance of a federal election. However, some states hold runoff elections as soon as two weeks after the initial election. Since election officials do not know if a runoff election will be necessary—nor who the two runoff candidates will be—until after the initial election, sending a separate runoff ballot to UOCAVA voters at least 45 days in advance becomes difficult or impossible for these jurisdictions.

As a solution, Alabama, Arkansas, Georgia, Louisiana, Mississippi, South Carolina, and the city of Springfield, Illinois, all utilize ranked choice ballots exclusively for UOCAVA voters. In these jurisdictions, UOCAVA voters receive a special runoff ballot along with their standard absentee ballot for the initial election. In addition to filling out the standard ballot, UOCAVA voters can rank candidates on their special runoff ballot and send back both ballots to their election officials. The standard ballot is counted in the initial election. Then, if a runoff election is necessary, the special ranked choice runoff ballot is examined, and whichever remaining



candidate received the highest ranking from the UOCAVA voter is counted as their choice in the runoff election.

Delegate Selection in Presidential Primary Elections

In presidential election years, partisan delegates from each state are chosen to attend each party's national convention, where their presidential nominees are officially selected. Delegate selection procedures are largely determined by state and national parties and may change from year to year. However, most delegate selection plans rely on the results of each state's presidential caucus or primary election.

In most states, at least some of the delegates to each party's convention are allocated proportionally. For example, a state may have 10 delegates to allocate in one party's primary. According to the presidential primary election results, 30% of the state's voters support Candidate A and 70% support Candidate B. Candidate A will receive 3 delegates to the party's national convention, while Candidate B will receive 7.

However, there is a minimum threshold of support that a candidate needs in order to get delegates at all; usually between 15-20% of the overall vote. For example, in a state that has 10 delegates to allocate in one party's primary, it is possible that 20% of voters support Candidate A, 70% of voters support Candidate B, and 10% of voters support Candidate C. Even though Candidate C received 1/10th of the overall vote, if they did not meet the minimum threshold, they would not receive any delegates. The remaining delegates would be split between Candidate A and Candidate B.

In other words, votes for candidates who do not meet the minimum threshold do not count toward the allocation of any delegates. A large field of candidates increases the chance that the vote will be "split" and a candidate will not meet the minimum threshold. But even if a voter's favorite candidate is unlikely to win, many voters still want their views represented at a party's national convention.

Political parties in some states have implemented ranked choice voting to address this concern. During the 2020 presidential primary election, Democratic primary voters in Alaska, Hawaii, Kansas, and Wyoming used ranked choice voting to select their candidates. If a voter's first-



choice candidate ultimately failed to meet the minimum threshold, their vote was reassigned to their next choice. These rounds continued until all remaining candidates met the minimum threshold; delegates were then proportionally allocated to these candidates.

Over the last decade, legislatures in at least eighteen states have considered implementing ranked choice voting in presidential primary elections. To date, only Maine has enacted legislation that requires ranked choice voting for its presidential primaries; other states allow ranked choice voting if a political party wants to use it.

Ways to Adopt

There are many different reasons that a jurisdiction may adopt an alternative voting method. Likewise, there are also many different methods of adoption. In addition to passing a state law or local ordinance, other ways in which jurisdictions have adopted alternative voting methods include opting-in to a pilot or local options program, holding a public vote, and responding to a Voting Rights Act challenge by agreeing to a consent decree or non-judicial agreement.

Opting-In to a Pilot or Local Options Program

Currently, three states (Colorado, Utah, and Virginia) have laws that explicitly give local jurisdictions the option to use ranked choice voting on a voluntary basis. North Carolina previously had a ranked choice voting pilot program that local jurisdictions could opt-in to, but the pilot program expired after 2011.

Case Study: Utah’s Municipal Alternative Voting Methods Pilot Project

In 2018, Utah adopted a statewide Municipal Alternative Voting Methods Pilot Project, which permits municipalities to use ranked choice voting for their elections. The program runs from 2019 to 2026 and was enacted with near-unanimous support in the state legislature. In 2021, 20 Utah cities chose to opt-in and held their municipal elections using ranked choice voting.

Holding a Public Vote

Many jurisdictions allow citizens to initiate their own proposals and put them up for a public vote if they meet certain requirements. Other jurisdictions allow citizens to vote on laws that the legislature has already passed via the referendum process. Depending on state law, ballot



initiatives and referenda may be conducted at either the local or state level. A study by Pew Research found that 40% of jurisdictions that adopted an alternative voting method since 2000 held some type of public vote on the matter.⁶

Every state that currently uses top-2 or top-4 primaries for congressional and state-level elections (Alaska, California, and Washington) adopted the voting method via a public vote. The same is true for states that use ranked choice voting in congressional and state elections (Alaska and Maine) and for both jurisdictions that use approval voting (Fargo, North Dakota and St. Louis, Missouri).

Case Study: Approval Voting and Top-2 Primaries in St. Louis, Missouri

In 2020, 68% of voters in St. Louis, Missouri approved a ballot initiative known as Proposition D. The initiative implemented a nonpartisan, approval voting primary for city offices, where voters can vote for as many candidates as they want, and the two candidates with the highest number of “approvals” proceed to the general election. St. Louis used the system for its 2021 elections and used it again for a special election in 2022.

Responding to a Voting Rights Act Challenge

Some jurisdictions that currently use alternative voting methods began doing so in response to challenges under the Voting Rights Act of 1965. Section 2 of the Voting Rights Act prohibits voting practices that discriminate on the basis of race. Any voting law can be challenged under Section 2. However, most challenges pertain to situations in which an elected multi-member governing body, such as a city council, is elected at-large rather than in separate districts.

At-large voting can result in a majority composition of every elected seat on a governing body, leaving minority groups without any representation. A common solution to Voting Rights Act challenges is to divide an at-large jurisdiction into separate districts, so a member is elected from each district rather than from the jurisdiction as a whole. This way, minority groups that are drawn into one district can elect a representative to the governing body.

⁶ <https://www.pewresearch.org/fact-tank/2021/06/29/more-u-s-locations-experimenting-with-alternative-voting-systems/>



Some jurisdictions choose to address a Voting Rights Act challenge by keeping their at-large system and adopting an alternative voting method rather than dividing the area into districts. Most recently, in 2019, the city of Eastpointe, Michigan reached an agreement with the U.S. Department of Justice to remedy a Voting Rights Act violation by adopting a proportional, multi-winner ranked choice voting system for its city council elections.

More details about challenges under Section 2 of the Voting Rights Act are available from the U.S. Department of Justice: <https://www.justice.gov/crt/section-2-voting-rights-act>.

Case Study: Cumulative Voting in Port Chester, New York

In 2009, the Village of Port Chester, New York entered into an agreement with the U.S. Department of Justice to remedy a violation of the Voting Rights Act. The agreement required Port Chester to use cumulative voting for the next three Village Trustee elections (2010, 2013, and 2016). After the agreement expired, voters in Port Chester approved a referendum to keep cumulative voting as the village's permanent voting system for trustee elections.

Administrative Considerations

Every election jurisdiction is different and there are several administrative factors to consider prior to adopting an alternative voting method, including ballot layout and instructions, procedures for counting and releasing results, audit procedures, recounts, voting technology, and voter education.

Ballot Layout and Instructions

Depending on which alternative voting method is adopted, ballots may require redesigning. For example, approval voting may not require a change in design at all; voters can simply fill in the existing bubble next to more than one candidate's name. On the other hand, a ranked choice voting ballot may require a substantial reconfiguration, especially if voters are allowed to rank a large number of candidates. Any new voting method that is adopted will require updated instructions to help voters cast their vote as they intend and understand how their vote will be counted.

If existing state laws dictate a specific way in which ballots must be laid out, or standard instructions that must appear on every ballot, new legislation may be required before an



alternative voting method can be implemented. Additionally, some alternative voting methods require more space on a ballot than existing methods, so election administrators may need to prepare for a potential increase in printing and mailing costs.

Ballot Design Resource

- Best Practices for Designing Ranked Choice Ballots (Center for Civic Design): <https://civicdesign.org/wp-content/uploads/2022/10/CCD-RCV-Best-Practices-Ballot-Design-2022.pdf>

Procedures for Counting and Releasing Results

The process of tabulating votes with an alternative voting method may look different from what voters are used to. While existing election technology may accommodate an alternative voting method, some jurisdictions choose to hand-count their results. Either way, it is important to decide and communicate how the results of the election will be counted and released.

Election officials should set clear expectations about the results, including the timing and level of detail the public can expect, as it may differ from previous election results reporting. For example, in ranked choice voting elections, some jurisdictions choose to release the results of each “round” of counting, while others only release the final result. Administrators may also choose to make use of data visualization tools to help voters understand the results.

When it comes to implementing an alternative voting method, it is also important to establish and publicize rules about vote counting—such as how a tie is broken or how voter intent is discerned—in advance of the election. As with any vote counting process, clearly communicating the rules to the public can help preempt accusations of bias.

Counting and Results Resources

- Best Practices for Displaying Ranked Choice Voting Election Results (Center for Civic Design): <https://civicdesign.org/wp-content/uploads/2022/10/CCD-RCV-Best-Practices-Displaying-election-results-2022.pdf>
- San Francisco Election Results Reporting Schedule: <https://sfelections.sfgov.org/results-reporting-schedule>



- Cambridge, Massachusetts Voter Guide (see page 7 for vote-counting process):
<https://www.cambridgema.gov/-/media/Files/electioncommission/2021municipalelection/2021voterguidefinal.pdf>
- Basalt, Colorado Instant Runoff Voting Counting Judges' Manual:
<https://www.basalt.net/DocumentCenter/View/4135/Res-03-2020---Election-Instant-RunOff-Voting-Procedures-Manual-and-Counting-Judges-Manual-040720?bidId>
- Minneapolis Ranked Choice Voting Results Visualizer:
<https://vote.minneapolismn.gov/results-data/election-results/2021/council-ward-1/>

Audit Procedures

Some states and jurisdictions require specific types of election audits, and new procedures may be required if an alternative voting method is adopted. For example, while risk-limiting audits (RLAs) can be conducted in single-winner ranked choice voting elections, they are not yet possible for multi-winner ranked choice elections that use the single transferable vote method.⁷

For more information about election audits, see the EAC's report outlining laws and procedures throughout the United States:

https://www.eac.gov/sites/default/files/bestpractices/Election_Audits_Across_the_United_States.pdf

Recounts

Depending on the method that is used, recounts in jurisdictions that use alternative voting methods may take longer than traditional recounts, especially if state law requires hand-counting. This is important to consider in light of any deadlines that a jurisdiction may need to meet, such as a certification deadline. In addition, existing procedures and manuals for a recount should be revised if an alternative voting method is adopted.

In some states, a recount is automatically triggered if the difference between candidates is within a certain margin. It is not always clear how these laws apply to alternative voting methods. For example, in a ranked choice voting election, would a recount of the entire

⁷ Ranked Choice Voting Resource Center (2022) Post-Election Audits and Ranked-Choice Voting, <https://www.rcvresources.org/blog-post/post-election-audits-and-ranked-choice-voting>



election be necessary, or is it limited to the final round of counting? The answer depends on the jurisdiction, so election officials may need to seek clarification from their legal counsel before conducting a recount.

Recount Resources

- New York City Ranked Choice Voting Manual Canvass Procedures:
https://vote.nyc/sites/default/files/pdf/evs/5a_RCV_Manual_Canvass_Procedures_2021_02-09.pdf
- Minneapolis 2017 Municipal Election Analysis & Recommendations (see page 25 for Ward 6 City Council recount details and procedures):
<https://lims.minneapolismn.gov/Download/RCAV2/4684/2017-Municipal-Election-Report.pdf>
- EAC Quick Start Guide on Conducting a Recount:
https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Conductinga_Recount_EAC_Quick_Start_Guide_508.pdf

Voting Technology

The use of technology to cast ballots and to tabulate and report election results varies between and within states. In most states, testing and certification of voting systems is required to ensure that they meet federal and state standards. Jurisdictions may need to update or purchase new equipment or voting systems to conduct elections using alternative voting methods, depending on the voting method and system. Jurisdictions may also need to seek voting system testing and approval from state election authorities. Jurisdictions should anticipate additional costs, staff training, resources, and legal and procurement requirements associated with equipment changes or voting systems when adopting alternative voting methods.

Voter Education

Many election administrators who have implemented an alternative voting method agree that voter education is a critical aspect of successful implementation. This is important to ensure that voters can vote for their preferred candidate(s) and do not, for example, spoil their ballots by voting for too many candidates. Furthermore, successful voter education is critical to



combating misinformation or misunderstandings about the alternative voting method that is being used.

Jurisdictions that have implemented alternative voting methods have used mailings, videos, social media posts, webinars, advertisements, media interviews, and mock elections to facilitate voter education prior to their first election with an alternative voting method.

In addition, poll worker training programs and materials should be revised to incorporate any new procedures or potential questions that may arise from an alternative voting method.

Voter Education Resources

- Best Practices for Designing Ranked Choice Voting Voter Education (Center for Civic Design): <https://civicedesign.org/wp-content/uploads/2022/10/CCD-RCV-Best-Practices-Education-Materials-2022.pdf>
- Minneapolis Ranked Choice Voting Handout: <https://vote.minneapolismn.gov/media/-www-content-assets/documents/RCV-Handout-Landscape-11x8.5.pdf>
- Alaska “Best Seafood” Mock Election: <https://www.elections.alaska.gov/doc/prpsa/Press%20Release%20-%20RCV%20Education%20Campaign%20Launch%206.1.2021.pdf>
- Salt Lake City “Ask Me Anything” Webinar: <https://www.slc.gov/attorney/recorder/ranked-choice-voting/>
- Interactive Ranked Choice Voting Sample Ballot from San Francisco: https://sfelections.org/tools/demo_rcv/
- Washington Secretary of State Top-2 Primary FAQ Page: <https://www.sos.wa.gov/elections/top2primaryfaq.aspx>
- Ranked Choice Voting Explanation Video from Alaska Division of Elections: <https://www.elections.alaska.gov/RCV.php>

Conclusion

The use of alternative voting methods—including approval voting, cumulative voting, limited voting, top-2 and top-4 primaries, and ranked choice voting—is increasing in the United States. Although alternative voting methods have been popular in some jurisdictions, others have



chosen to repeal or ban them. Jurisdictions may have different reasons for adopting an alternative voting method and can choose to adopt them for some or all of their elections depending on the legal framework in the state. Ultimately, a decision about using an alternative voting method should consider, at a minimum, the effect on cost, legal and procedural requirements, voting technology, voter education and awareness, and the specific needs of a jurisdiction.

