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**HOUSE BILL NO. 129**

Offered January 12, 2022

Prefiled January 7, 2022

*A BILL to amend and reenact § 24.2-673.1 of the Code of Virginia, relating to elections; conduct of election; ranked choice voting; primaries for statewide offices.*

Patrons—Davis, Hudson and Williams

Referred to Committee on Privileges and Elections

**Be it enacted by the General Assembly of Virginia:****1. That § 24.2-673.1 of the Code of Virginia is amended and reenacted as follows:****§ 24.2-673.1. (Expires July 1, 2031) Ranked choice voting.**

A. For purposes of this section:

"Ranked choice voting" means a method of casting and tabulating votes in which (i) voters rank candidates in order of preference, (ii) tabulation proceeds in rounds such that in each of round either a candidate or candidates are elected or the last-place candidate is defeated, (iii) votes for voters' next-ranked candidates are transferred from elected or defeated candidates, and (iv) tabulation ends when the number of candidates elected equals the number of offices to be filled. "Ranked choice voting" is known as "instant runoff voting" when electing a single office and "single transferable vote" when electing multiple offices.

"Ranking" means the ordinal number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking, ranking number two is the next-highest ranking, and so on, consecutively, up to the number of candidates indicated on the ballot.

B. Elections of members of a county board of supervisors or a city council may be conducted by ranked choice voting pursuant to this section. The decision to conduct an election by ranked choice voting shall be made, in consultation with the local electoral board and general registrar, by a majority vote of the board of supervisors or city council that the office being elected serves.

C. *Primary elections for any office, including President of the United States and any other federal office, may be conducted by ranked choice voting pursuant to this section. The decision to conduct an election by ranked choice voting shall be made by the party for which the primary is being held. The party shall indicate its decision in its notice to the State Board of the adoption of a direct primary pursuant to § 24.2-516. The party shall specify for each office in the General Assembly for which a primary has been adopted, whether or not such primary shall be conducted by ranked choice voting.*

D. The State Board ~~may~~ shall promulgate regulations for the proper and efficient administration of elections determined by ranked choice voting, including (i) procedures for tabulating votes in rounds, (ii) procedures for determining winners in elections for offices to which only one candidate is being elected and to which more than one candidate is being elected, and (iii) standards for ballots pursuant to § 24.2-613, notwithstanding the provisions of subsection E of that section.

~~D.~~ E. The State Board may administer or prescribe standards for a voter outreach and public information program for use by any locality conducting ranked choice voting pursuant to this section.

INTRODUCED

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