



Legislative Council Staff

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Memorandum

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TO: Interested Persons

FROM: Sonia Hatfield, Fiscal Analyst, 303-866-5851

SUBJECT: Ranked Choice Voting

Summary

This memorandum provides an overview of ranked-choice voting, or instant-runoff voting. Ranked-choice voting (RCV) is currently used in some nonpartisan elections in three Colorado municipalities, with an additional two municipalities using it in future elections. House Bill 21-1071, passed in the 2021 legislative session, may lead to more municipalities using RCV in nonpartisan elections beginning 2023.

Ranked Choice Voting

RCV, also called instant-runoff or single-transferrable voting, is a system where voters rank candidates by preference. The candidate who wins the majority of first-choice votes wins the election. If no candidate wins a majority of first-choice votes, the candidate with the fewest first-choice votes is eliminated and the ballots with that candidate as a first choice will have their second choice counted. This process is repeated until one candidate has a majority.

Proponents of RCV claim that this voting process makes elections less polarizing, and leads to the inclusion of more moderate, diverse, and third-party candidates. They also claim that it reduces the need for runoff elections, which could save a municipality or state time and money. Proponents also claim that it leads to fewer 'wasted' votes, as voters can rank their true preference and would not need to vote strategically based on who may be able to defeat a particular opponent.

Opponents of RCV say that it is too complicated for voters to understand, that traditional runoffs are more transparent to the public and reflective of their wishes, and that RCV does not actually lead to more moderate or diverse candidates.

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RCV in Colorado

RCV is currently used in three Colorado municipalities for nonpartisan, local elections, and an additional two municipalities are planning to use it for future elections. Carbondale and Basalt adopted it for mayoral elections with more than two candidates in 2002, and Telluride began using it for mayoral elections in 2011. Boulder voted in 2020 to use it for mayoral elections beginning in 2023, and Broomfield voters voted in the November 2021 election to use RCV for future mayoral and city council races. Aspen used RCV for mayoral and city council meetings from 2007 to 2010; however, it was removed in 2010 due to concerns about the ability to audit the elections.

House Bill 21-1071, passed in the 2021 legislative session, allows single-county municipal elections using RCV to be conducted by a county clerk as part of a coordinated election beginning in 2023. This option will expand to multi-county municipalities in 2026. The bill also requires the Secretary of State to develop statewide rules for RCV, and find and purchase the necessary software to conduct RCV elections.

Conducting these elections as part of a coordinated election would allow municipalities to include the race on the same ballot as other races and use state voting software, allowing the Secretary of State's office to use its software to audit these elections. Prior to the passage of HB 21-1071, RCV elections were only permitted in local elections where the municipality ran the elections themselves, without using the support or equipment provided by the state. While the passage of HB 21-1071 allows for RCV in nonpartisan municipal elections, state-provided equipment and software to run an RCV will make it easier for additional municipalities to use this voting method, if they choose to. This base of state support for RCV could allow the state to expand the use of RCV in the future to additional races and jurisdictions, subject to legislation where necessary.

RCV in Other States

RCV is currently used in many types of elections throughout the country, including in statewide elections, local elections, primary elections, and party elections. Some states and jurisdictions also allow military and overseas voters to vote via RCV so that they will not need to cast a separate ballot in a subsequent run-off election. In some states, the use of RCV has been approved but not yet implemented, and some states have historically used it but currently do not. Interest in RCV is growing, during the 2021 legislative session, twenty-nine states and Washington D.C. introduced RCV bills. Table 1 shows the states currently or historically utilizing RCV, and those that have introduced legislation related to RCV in the 2021 legislative session.

Table 1. Rank Choice Voting in the United States

State	Statewide Elections	Presidential Primaries	Local Elections	Party Elections	Military & Overseas Voting	Historical Use
Alabama					✓	
Alaska	✓	✓				
Arizona**						
Arkansas					✓	
California			✓			
Colorado**			✓			
Connecticut**						
Delaware			✓			
District of Columbia**						
Florida*						
Georgia**					✓	
Hawaii**		✓				
Illinois**					✓	
Indiana**				✓		
Kansas		✓				
Kentucky**						
Louisiana					✓	
Maine**	✓	✓	✓			
Maryland**			✓			
Massachusetts**			✓			
Michigan			✓			
Minnesota**			✓			
Mississippi**					✓	
Missouri**						
Montana**						
Nebraska**						
Nevada		✓				
New Jersey**						
New Mexico**			✓			
New York**			✓			
North Carolina						✓ ⁱ
Ohio						✓
Oregon**			✓			
Pennsylvania**						
South Carolina					✓	
South Dakota**						
Tennessee*						
Texas***ii				✓		
Utah**			✓	✓		
Vermont**			✓			
Virginia**			✓	✓		
Washington**						✓ ⁱⁱⁱ
West Virginia**						
Wisconsin**						
Wyoming		✓				

*States that have voted to adopt but have not yet implemented RCV.

**States that introduced RCV bills introduced in the 2021 legislative session.

Sources: The information from this table came from [Ballotpedia](#) and [FairVote](#).

ⁱ [Q&A: Changes to NC election laws :: WRAL.com](#)

ⁱⁱ [Austin Voters Approved Ranked-Choice Voting. But Whether They'll Get To Use It Is Another Matter. | KUT Radio, Austin's NPR Station](#)

ⁱⁱⁱ [Washington State Legislature](#)